

**Army Regulation 360–5**

**Army Public Affairs**

# **Public Information**

**Headquarters  
Department of the Army  
Washington, DC  
31 May 1989**

**Unclassified**

# ***SUMMARY of CHANGE***

AR 360-5

Public Information

This revision--

- o Outlines the Army's "Setting the Record Straight" Program (para 1-4c).
- o Expands guidance pertaining to Army support to nongovernmental audiovisual productions or programs, advertising, and promotions (para 3-37).
- o Expands guidance pertaining to political activities and election campaigns (para 3-45b).
- o Changes public affairs procedures in regards to biological, chemical, and nuclear accidents and incidents (chap 10).
- o Adds the following appendixes:
  - o Adds the following figures:
- o Provides new definition for onscene commander (glossary, section II).

Effective 30 June 1989

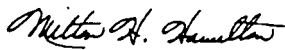
Army Public Affairs

Public Information

By Order of the Secretary of the Army:

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*General, United States Army*  
*Chief of Staff*

Official:



MILTON H. HAMILTON  
*Administrative Assistant to the*  
*Secretary of the Army*

**History.** This UPDATE printing publishes a revision of this publication. Because the publication has been extensively revised, the changed portions have not been highlighted.

**Summary.** This regulation governs public information, to include media relations.

**Applicability.** This regulation applies to all members of the Active Army, the Army National Guard, and the U.S. Army Reserve,

and to civilian employees of the Department of the Army.

**Proponent and exception authority.**  
Not applicable

**Impact on New Manning System.** This regulation does not contain information that affects the New Manning System.

**Army management control process.** This regulation is subject to the requirements of AR 11–2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are being developed and will be published at a later date.

**Supplementation.** This regulation may be supplemented. If supplements are issued, HQDA agencies and major Army commands will furnish one copy each to HQDA (SAPA–PP), WASH DC 20310–1509. Other commands issuing supplements will furnish one copy of each to the next higher headquarters. The establishment of forms other

than DA forms is prohibited without prior approval from HQDA (SAPA–PP).

**Interim changes.** Interim changes to this regulation are not official unless they are authenticated by the Administrative Assistant to the Secretary of the Army. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

**Suggested Improvements.** The proponent agency of this regulation is the Office of the Chief of Public Affairs. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (SAPA–PP), WASH DC 20310–1509.

**Distribution.** Distribution of this publication is made in accordance with the requirements on DA Form 12–09–E, block 2392, intended for command level B for Active Army, ARNG, and USAR.

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### **Glossary**

**RESERVED**

## **Chapter 1**

### **Introduction**

#### **1-1. Purpose**

This regulation prescribes the following:

- a.* Public information objectives, principles, and procedures.
- b.* Policies and procedures on review, clearance, and release of information to the public.
- c.* Authority and responsibility to plan and conduct public information activities.

#### **1-2. References**

Required and related publications and prescribed and referenced forms are listed in appendix A.

#### **1-3. Explanation of abbreviations and terms**

Abbreviations and special terms used in this regulation are explained in the glossary.

#### **1-4. Public information principles**

The Department of Defense (DOD) principles of information (fig 1-1) provide a general framework for Army efforts to inform the public of the Army's unclassified activities. In every effort to tell the Army story, the following principles will also apply:

- a.* Department of the Army (DA) agencies will provide unclassified information about the Army and its activities to the public. However, public affairs officers (PAOs) will not release information that would clearly adversely affect national security or threaten the privacy or personal safety of men and women of the Armed Forces. (See para 1-6.)
- b.* Unfavorable news will be released with the same care and speed as favorable news. Candor is essential in dealing with the public.
- c.* PAOs will be extremely careful to ensure that all information provided to external or internal audience is accurate. They will also be alert for misinformation about the Army that appears in newspapers, TV broadcasts, speeches, etc. When misinformation is detected, PAOs should take whatever action they deem appropriate to "set the record straight" and provide the correct data to the source of the misinformation.
- d.* Promotional, self-serving news is suspect in terms of truth and accuracy and will be avoided. Generating news events designed for media coverage conflicts with the spirit and intent of this regulation.
- e.* DA officials must not discuss publicly matters that are the responsibility of other Government agencies (for example, foreign policy is a responsibility of the Department of State).
- f.* Information classified in the interest of national security under AR 380-5 will not be disclosed.
- g.* PAOs and staff will not initiate or conduct programs for psychological operations purposes, and will not permit public affairs office resources to be used in support of such activities.

#### **1-5. Release of requested Army records**

- a.* The release of requested Army records is governed by AR 340-17 and AR 340-21. Such release will not be delayed subject to the clearance requirements of this regulation. Officials who make initial determinations to release Army records should inform PAOs in advance when an Army record contains controversial information, when denial of release of such a record is likely to be contested, or when a request for an Army record is received through other than public affairs (PA) channels from a news media representative. (See AR 340-17, para 5-200c.) Based on this information, the PAO will

advise his or her commander or chief immediately and will contact the Office of the Chief of Public Affairs (OCPA), HQDA, by telephone (AUTOVON 227-4739) or by priority electronic message (HQDA WASH DC//SAPA-PP//).

- b.* Records requested through public affairs channels by news media representatives that would not be withheld if requested under the Freedom of Information Act (FOIA) should be released upon request. This procedure eliminates the need for such requesters to invoke the FOIA and assists in providing timely information to the public. (See AR 340-17, para 1-300.)

#### **1-6. Operations security (OPSEC)**

All public affairs personnel must be aware of, and support, the Army's Operations Security Program. Prior to the release of information to the public, such materials must be reviewed for OPSEC considerations in accord with AR 530-1. Such reviews should be accomplished by the staff office or agency providing information to the public affairs office for release.

#### **1-7. Direct communications**

Public affairs matters normally will flow through command channels of communications. However, when necessary to expedite handling of public affairs matters, the Chief of Public Affairs, HQDA, is authorized direct communications with other HQDA agencies, Army commands and installations, and subordinate Army elements. Commands and installations are authorized to communicate directly with OCPA, HQDA, when circumstances require such action. Any headquarters bypassed as a result of a direct communication will be informed of the action as soon as possible by the person that began the direct communication.

#### **1-8. Staff relationships**

In his or her capacity as the adviser to the commander on Army public affairs programs and activities, the PAO requires direct access to the commander. To ensure this, the PAO usually serves on either the personal staff of the commander or at the principal staff level of a command, agency, or activity.

#### **1-9. Organization of the Office of the Chief of Public Affairs**

The OCPA is organized with a headquarters element at HQDA in the Pentagon and five field operating agencies. Three of the field operating agencies have missions primarily in support of the public affairs functions addressed in this regulation. They are as follows:

- a.* The Army Element of the Army/Air Force Hometown News Directorate at Kelly Air Force Base, TX. (See chap 7.)
- b.* The Los Angeles Branch, OCPA, responsible for liaison between the Army and entertainment television and motion picture industries based in Los Angeles.
- c.* The New York Branch, OCPA, the principal Army contact with the broadcast, print, publishing, advertising, theatrical, and independent creative communities in New York City and with other New York-based commercial firms and civic organizations.

#### **1-10. Public affairs funding**

Public affairs activities will be funded in accordance with guidance in AR 37-100-XX.

The text of the Secretary of Defense memorandum of 1 December 1983 is as follows:

"It is the policy of the Department of Defense to make available timely and accurate information so that the public, Congress and members representing the press, radio and television may assess and understand the facts about national security and defense strategy. Requests for information from organizations and private citizens will be answered responsively and as rapidly as possible. In carrying out this policy, the following Principles of Information apply:"

"Information will be made fully and readily available, consistent with statutory requirements, unless its release is precluded by current and valid security classification. The provisions of the Freedom of Information Act will be supported in both letter and spirit."

"A free flow of general and military information will be made available, without censorship or propaganda, to men and women of the Armed Forces and their dependents."

"Information will not be classified or otherwise withheld to protect the government from criticism or embarrassment."

"Information will only be withheld when disclosure would adversely affect national security or threaten the safety or privacy of the men and women of the Armed Forces."

"The Department's obligation to provide the public with information on its major programs may require detailed public affairs planning and coordination within the Department and with other government agencies. The sole purpose of such activity is to expedite the flow of information to the public: propaganda has no place in Department of Defense public affairs programs."

"The Assistant Secretary of Defense (Public Affairs) has the primary responsibility for carrying out this commitment."

**Figure 1-1. DOD principles of information**

## **Chapter 2 Responsibilities**

### **2-1. Chief of Public Affairs**

The Chief of Public Affairs has Army staff responsibility for all matters pertaining to DA public affairs plans and programs supporting Army basic plans and programs, (AR 10-5.) public information (to include media relations), command information, and community relations.

### **2-2. Commanders of major Army commands (MACOMs) and elements**

a. Commanders are responsible for the public affairs program within their respective commands and within their respective PA areas of responsibility. For purposes of this regulation, the National Guard Bureau is considered a major Army command.

b. The Commanding Generals of U.S. Army Forces Command (FORSCOM) and U.S. Army Training and Doctrine Command (TRADOC) are designated by HQDA to act as the Army spokesperson for appropriate public affairs matters within their immediate headquarters areas.

c. The Commanding General, U.S. Army Military District of Washington (MDW) is assigned responsibility for coordinating public affairs activities in accord with AR 5-9, appendix B-14.

### **2-3. Commanders of the numbered armies in the continental United States (CONUSA)**

a. CONUSA commanders are responsible within their respective commands for public affairs programs designed to support the Army National Guard (ARNG) and the U.S. Army Reserve (USAR). ARNG and USAR public affairs capabilities will be used to the fullest extent possible. The CONUSA commanders supervise Army Reserve public affairs elements directly through the Army Reserve Commands (ARCOMs) and those General Officer Commands (GOCOMs) that report directly to the CONUSA.

b. ARNG and CONUSA relationships in public affairs matters are characterized by coordination rather than direction. CONUSA commanders coordinate with National Guard Bureau Public Affairs Office to deal with State public affairs personnel, ARNG division public affairs personnel, and ARNG public affairs units.

c. CONUSA commanders are designated by HQDA to act as the Army spokespersons for appropriate public affairs matters within the immediate local areas of their headquarters.

d. CONUSA commanders are designated by HQDA to act as the principal interface with the management of major news media outlets within their Army areas in behalf of the Chief of Staff, U.S. Army. In this, CONUSA commanders are charged with maintaining

liaison with executives of those news media outlets through regular periodic visits. During those visits, they should ascertain the concerns of the media about Army programs and activities and provide those executives with information about major ongoing Army programs and initiatives. CONUSA commanders, through their PAOs, will keep the Chief of Public Affairs advised of the results of their interface with those media.

### **2-4. Commanders of installations**

Each commander of an installation under FORSCOM, TRADOC, U.S. Army Materiel Command (AMC), U.S. Army Information Systems Command (USAISC), U.S. Army Western Command (WESTCOM), U.S. Army Health Services Command (HSC), Military Traffic Management Command (MTMC), U.S. Army Space Defense Command (USASDC), U.S. Army Intelligence and Security Command (INSCOM), and MDW is responsible for public affairs activities for his or her own installation whether or not the installation has been given area PA responsibility.

a. Each installation commander will—

(1) Provide a local spokesperson for matters pertaining to his/her command and local area of responsibility. That individual is normally the command's PAO.

(2) Provide, when requested, appropriate public affairs support to recruiting activities, tenant units, and Reserve Officers' Training Corps (ROTC) regions on a case-by-case basis.

(3) Provide PA support to ARNG and USAR units within its capabilities. The installation PAO will act as the point of contact to assist ARNG and USAR PAOs and PA detachment commanders. Installation PAOs are also responsible to provide coordination and support to Reserve Component units that train on their installations. This includes any coordination required before a unit arrives.

(4) Initiate Memorandums of Understanding with tenant units on the installations. Such memorandums will outline responsibilities and relationships in public information, to include media relations, command information, and community relations.

b. In addition to responsibilities in *a* above, installation commanders with public affairs area responsibilities (as described in AR 5-9, appendix B-14)—

(1) Will ensure all actions related to PA area responsibilities are coordinated both vertically and laterally. Conflicts that cannot be resolved at the local level will be referred to higher headquarters for resolution.

(2) Will complete Memorandums of Understanding with elements of major commands located within their PA area of responsibility.

(3) May request the assistance of ARNG and USAR PAOs to carry out public affairs responsibilities. Requests must be submitted through proper MACOM, CONUSA, ARCOM, and GOCOM.



c. Exceptions to public affairs area responsibility are shown below.

(1) Those identified in paragraphs 2-2*b* and 2-3*c* and 2-3*d*.

(2) State adjutants general are responsible for public affairs activities of ARNG units. The chain of communication for ARNG public affairs matters is through the National Guard Bureau (NGB). NGB and State adjutants general must keep MACOMs, CONUSAs, and active installation PAOs informed of training activities on active installations that will involve media and visits by very important persons (VIPs).

## **2-5. Overseas commanders**

Overseas commanders are responsible for the conduct of public affairs activities within their commands. They will be guided by the policies of the Department of the Army and of the commanders of unified commands. In the event of conflict, the policies of the unified command will govern.

## **2-6. Principal HQDA officials**

a. These individuals are responsible to establish, in accord with policies of this regulation, DA Memo 360-1, and DA Memo 360-9, procedures within their agencies for public release of information on their missions and functions and to prepare material for dissemination to the public. Such materials will be coordinated with and released through OCPA, HQDA. (See para 3-1.)

b. OCPA staff officers will ensure that all necessary staff coordination and clearance have been completed prior to the release of information outside the Department of the Army.

## **2-7. Commanders of staff support and field operating agencies**

Commanders of these agencies will coordinate their public affairs programs with the installation commanders responsible for their geographic areas. Staff support and field operating agency commanders normally are responsible for the conduct of public affairs activities relating to their mission, for example, U. S. Army Military Personnel Center (MILPERCEN) and Community and Family Support Center (CFSC). They will be guided by the policies of the Department of the Army. (See para 3-1.)

# **Chapter 3 Policies**

## **Section I General**

### **3-1. Authority to release material**

a. General procedures. General military information on the overall plans, policies, programs, or operations of the DOD, DA, or the Federal Government is normally released by the Office of the Secretary of Defense (OSD). Material that meets any of the criteria below will be submitted to OCPA for OSD clearance prior to release. Doubtful cases also will be submitted for clearance. Unofficial prior publication of information on the subject matter below does not constitute authority for official release.

(1) Information that originates or is proposed for release at the Seat of Government.

(2) Information that is or has the potential to become an item of national or international interest. (See c(2) below.)

(3) Information and public statements that have foreign policy or foreign relations implications.

(4) Information and public statements that concern high level military or Department of Defense policy.

(5) Information that concerns U.S. Government policy or which concerns policy within the purview of other Government agencies.

(6) Information approved by HQDA for release by OSD.

(7) Information on subjects of potential controversy among the military services or with other Federal agencies.

(8) Information on new weapons or weapon systems or significant modifications or improvements to existing weapon systems, equipment, or techniques.

(9) Information on significant military operations, potential operations, operations security, and military exercises. (See para 3-41.)

(10) Information on military applications in space; nuclear weapons and the components of such weapons, including nuclear weapons effects research; chemical warfare and defensive biological and toxic research; high-energy lasers and particle beams technology; and nuclear, biological, chemical (NBC) defense testing and production, policy, programs, and activities. (See para 3-42.)

(11) Information on national command authorities and command posts.

(12) Information and materials, including that submitted by Defense contractors, involving critical military technology. (See chap 9.)

(13) Information concerning communications security, electronic warfare, signals intelligence, and computer security.

(14) Initial announcement of general officer assignments.

(15) Initial announcement of the award of Army contracts with a value of more than \$3 million. FAR 5.303(a) precludes initial public release of such information below OSD level.

(16) Lists of names and/or duty addresses of military personnel assigned to units that are sensitive, routinely deployable, or stationed in a foreign territory. (See app B.)

b. Within Headquarters, Department of the Army.

(1) OCPA has authority to respond to media requests for information about the Army as a whole. Such information is normally obtained from the Army Staff agency having primary interest and is cleared, as necessary, with OSD. Army Staff agencies with technical liaison officers or PAOs may respond directly to requests for routine information. (See DA Memo 360-1 and DA Memo 360-9.) All agencies will refer media requests to the OCPA when they meet the criteria in *a* above.

(2) In conjunction with the Office of the Chief of Legislative Liaison (OCLL), the OCPA coordinates with the Office of the Assistant Secretary of Defense (Public Affairs) all replies to congressional inquiries, requests, or other transmittals of information which may have significant PA implications. This coordination is done prior to such information being forwarded to Congress by OCLL.

(3) In coordination with the Army Staff, the OCPA, through OSD, releases newsworthy information about the Army to the public.

(4) Normally, interviews and press conferences will be arranged by OCPA. (See DA Memo 360-1.) When appropriate, these events will be monitored by PAO or by the public affairs liaison officer of the Army Staff agency concerned.

c. Commands below HQDA level.

(1) Commanders below HQDA level are authorized to release information to local media that is wholly within the mission and scope of their commands and is not restricted by the provisions of *a* and *b* above. Normally, such material is submitted to the appropriate PAO who will review it under the criteria in *a* above. The PAO either will grant clearance or forward the material to the appropriate headquarters for clearance.

(2) Commanders below HQDA level will inform OCPA, HQDA (SAPA-MR), through command channels, by the most expeditious means when national news media requests are received concerning their commands. The intent of this policy is to allow local commanders maximum flexibility in releasing information, but at the same time to have a system to alert HQDA that national media are interested in a particular subject and may be pursuing it at more than one location. Requests for information or coverage from network television (to include local affiliates), national news magazines, or metropolitan newspapers which have national distribution such as the NEW YORK TIMES or WASHINGTON POST, should automatically be considered national media requests. Notification of OCPA in advance would be useful, but is not required, especially where the local agency would ordinarily be authorized to make a release or grant access.

(3) If the responsibility for releasing information on a public affairs incident is not clearly assigned to an installation or within a geographic area, the installation PAO with area responsibility will coordinate the matter with the next higher headquarters to determine responsibility.

(4) Each level of command will make judicious use of the releasing authority, particularly on scientific results of research, development, test, or evaluation performed by in-house and contract laboratories. Expeditionary release of such scientific and technical information should be made at the lowest possible level if the release does not conflict with (1) and (3) above.

### **3-2. Consultation with State and local officials**

a. Presidential and DOD policy require that within national security and congressional constraints, State and local officials be consulted at the earliest stages of planning and development of major policy, budget, or reorganization proposals that have significant State and local impact.

b. Early consultation guidance on major policy, budget, or reorganization proposals initiated by HQDA that have significant State and local impact will be provided to the MACOMs and activities involved in the proposal. If no problems are perceived, MACOMs and activities will be informed that HQDA has no objection to consultation at the earliest time. However, no early consultation with State and local officials will take place without HQDA guidance.

c. Commanders, directors, and heads of activities may know of peculiar local or congressional constraints and sensitivities that HQDA should be aware of, either on HQDA proposals or on actions started by MACOMs and/or their activities but related to HQDA proposals. MACOMs and activities will advise HQDA of these situations through the local PAO to the Office of the Chief of Public Affairs, HQDA. In turn, the OCPA will advise MACOMs and activities if early consultation is not appropriate.

## **Section II Media Relations**

### **3-3. Individuals or media representatives**

U.S. news media representatives may visit those areas of an installation normally open to the public. Army installations or commands may assist individuals or media without prior coordination with HQDA when the subject is local in nature or deals with news events which take place without prior planning or knowledge and the information is releasable under existing regulations. Policy with regard to access to specialized Army facilities or activities is discussed in paragraphs 3-8 through 3-12. All other requests for assistance will be forwarded with recommendations through channels to HQDA (SAPA-PP), WASH DC 20310-1509, for review and approval by OCPA. (See para 3-48 for policy on foreign news media representatives access.)

a. Under DOD 5220.22-R and DOD 5220.22-M, installation commanders or contractors will cooperate with media representatives who request permission to visit an installation under Army jurisdiction or the facilities of DOD contractors to obtain information for public release if—

(1) Requests originate with a bona fide representative of the media.

(2) Safeguarded information is not discussed, shown, or made available to media representatives.

b. Local procedures will be developed to give news media access to information within security limits. Particular attention will be given procedures to handle news media personnel during disaster and civil disturbance conditions.

c. Anyone may solicit information about the Department of the Army and its programs and activities.

d. Commanders responsible for granting official cooperation with news media representatives may request the writer to submit his or

her final product for security review as a condition for such cooperation. However, submitted material will be reviewed only for security purposes.

### **3-4. Media day**

Each year installation commanders should schedule a media day to encourage area news media representatives to visit their installations. Media days enable commanders and PAOs to establish or renew contacts with news media representatives, particularly those they see infrequently. The type of program and the date selected for a media day are at the discretion of the installation commander concerned. However, when held, media days should be conducted in conjunction with scheduled on-post special events and/or ongoing training.

### **3-5. Official and unofficial discussions**

Members of the military are encouraged to broaden the public's knowledge of the Army by speaking factually, candidly, and fully about unclassified matters on which they have personal knowledge and expertise. This may be done informally or formally through discussions, association with civilian professional groups, speaking on matters in which the individual has expertise, writing by-lined articles for publication, and participation in local community affairs. Soldiers may express personal opinions unless limited by law or regulation. For example, they should not comment on matters in litigation or which may be speculative. Soldiers should not comment about military matters that are beyond their knowledge and experience.

a. Guidelines for official discussions.

(1) Senior commanders and staff officers are expected to discuss military matters within their purview with news media representatives.

(2) Classified information will not be discussed.

(3) Military officials being interviewed will confine their remarks to matters and activities about their command or the command they represent.

b. Unofficial discussions. Any person subject to this regulation may agree to a media request for an interview in an unofficial capacity. He or she should discuss candidly matters about which he or she has personal knowledge if the information is not classified or otherwise nonreleasable. When questioned on a classified matter, he or she will state frankly that the information is classified and cannot be discussed.

### **3-6. Military accidents occurring outside military installations and involving classified material**

a. Consistent with national security, military authorities will give maximum cooperation to U.S. news representatives covering military accidents occurring outside military installations. This does not apply to accidents involving nuclear weapons (chap 10), to releases on chemical warfare and biological defense research (para 3-42), or to military accidents occurring outside the United States, its territories, or its possessions. Guidance for these circumstances is given in treaties, intergovernmental agreements, and laws of other nations.

b. The military authority at the scene of an accident in which classified material is involved will—

(1) Inform news media representatives of the presence of exposed classified material which cannot be removed or covered immediately and ask the representatives to cooperate in its protection. Photographers will be informed that violations of the ban against photographing classified material are also violations of Federal criminal laws (18 USC 795, 797).

(2) Not use force if news media representatives refuse to cooperate in protecting classified material. The military authority will request immediately the assistance of appropriate civilian law enforcement officials to prevent compromise of such material and to recover all photographs, negatives, and sketches presumed to contain classified information. The military authority also will request the cooperation of the superiors of offending news media representatives and tell them that publication of such classified information

or refusal to return it to the military authority is a violation of Federal laws (18 USC 793(d), 793(e), 795, 797).

(3) Submit, through channels to the OCPA for transmittal to the Assistant Secretary of Defense (Public Affairs) (ASD(PA)), a message report on refusals of news representatives or their superiors to cooperate. (Message address: HQDA WASH DC//SAPA-MR//).

c. Commanders of military installations will maintain liaison with civilian law enforcement agencies in adjacent areas. The commanders will advise the agencies that they may be called upon for assistance and cooperation when military accidents occur in their areas. The civilian law enforcement agencies will be made aware of the provisions of 18 USC 793(d), 793(e), 795, 797. These U.S. Codes give penalties for photographing, publishing, or refusing to surrender classified information.

### **3-7. Information related to disaster relief and civil disturbances**

a. Responsibilities for PA activities in connection with domestic disaster relief operations are given in AR 500-60.

(1) Information on Army participation in disaster relief operations will be made available promptly to news media. Material of possible national interest will be forwarded by the most expeditious means possible to HQDA (SAPA-MR), WASH DC 20310-1507, for general dissemination.

(2) Public affairs officers of ARNG and USAR units are encouraged to forward to HQDA (SAPA-MR), WASH DC 20310-1507, news and feature material of their activities for possible dissemination at national level. ARNG PAOs will provide information copies to National Guard Bureau Public Affairs.

(3) Upon conclusion of disaster relief activities, PAOs will provide the OCPA with a narrative summary of public affairs activities and their results. Information copies of the report will be provided to intermediate headquarters.

b. Responsibilities for public affairs activities in connection with civil disturbances are given in DODD 3025.12 and AR 500-50, chapter 3. Information related to civil disturbances will be released as follows:

(1) The ASD(PA) is responsible for all DOD public affairs matters on civil disturbances.

(2) Questions on public affairs matters related to civil disturbances will be referred to OCPA (AUTOVON 227-7589; commercial (202) 697-7589) by Active Army elements and/or Reserve Component units on active Federal duty status. ARNG units on State active duty will refer questions to the National Guard Bureau (AUTOVON 225-0421; commercial (202) 695-0421).

### **3-8. Visits to installations with a chemical warfare and/or nuclear, biological, and chemical defense-related mission or activity**

All requests for visits by news media representatives to installations with such missions or activities for the purpose of covering such missions or activities will be submitted for approval through command channels to HQDA (SAPA-MR), WASH DC 20310-1507. Army agencies sending the requests will include their recommendations and will attach a proposed itinerary for each visit. Approval to visit some installations or facilities may occasionally be denied for safety or security reasons. If the visit is approved, the approval will be confirmed to the media representatives by OCPA or by the PAO of the MACOM concerned.

### **3-9. Access to Army confinement facilities**

News media access to and photography in an Army confinement facility normally is prohibited. See AR 190-47, paragraphs 5-12 and 5-13, for policies on access, photography, interviews, and related news media activities in connection with military personnel in confinement facilities.

### **3-10. Access to Armed Forces Disciplinary Control Board (AFDCB) meetings**

News media representatives may attend those meetings of AFDCBs

that are open to the public. See AR 190-24, appendix B, for additional guidance.

### **3-11. Access to Military Entrance Processing Stations**

See AR 601-270/AFR 33-7/OPNAVINST 1100.4/NCO P1100-75A, paragraph 3-11, for guidance.

### **3-12. Access to Army commissaries**

All requests received from news media representatives to visit commissary facilities will be referred to the commissary officer who, in turn, will coordinate the request with the Public Affairs Office of the U.S. Army Troop Support Agency, Fort Lee, VA.

### **3-13. News media accreditation**

The ASD(PA) will establish criteria for accreditation of news media representatives to cover combat operations and is the sole authority to grant such accreditation. Commanders may establish accreditation systems for local media in connection with coverage of a specific event. However, this is neither required nor recommended.

## **Section III**

## **Release of Various Types of Information**

### **3-14. Interviews with and hometown-type news releases about foreign military personnel attending U.S. Army schools**

a. PAOs will not initiate interviews with foreign military personnel attending Army schools or training under Army auspices in the United States. Persons requesting such interviews will be told that the requests will be referred to the proper country's senior officer in residence for approval. At the time a request is referred, the senior officer should be encouraged to find out his or her embassy's desires. If the embassy, the senior officer, or the individual (if the request is by name) declines or disapproves the request, there will be no interview. If the embassy, the senior officer, and the individual agree to the interview, that PAO will help make the necessary arrangements. (See AR 12-15, paras 10-32 and 10-75, for additional guidance on public affairs activities in connection with foreign military students and trainees in the United States.)

b. Hometown-type news releases and photographs of foreign military personnel may be prepared and disseminated by PAOs only when the individuals' countries have expressed a desire to receive such materials. As discussed in AR 12-15, paragraph 10-75, information as to which countries desire hometown news materials on their personnel training in the United States is issued annually by OCPA to the Army commands and agencies concerned.

c. News release material on foreign personnel will not be sent to the Army and Air Force Hometown News Service (HNS). The HNS is organized to release news only on U.S. personnel to U.S. media.

### **3-15. U.S. Army counterintelligence personnel or activities**

Public release of information about U.S. Army counterintelligence personnel or activities is governed by AR 381-20, paragraph 6-3a.

### **3-16. Criminal investigations**

See AR 195-2, paragraph 4-3j, for guidance.

### **3-17. Inspector general activities**

See AR 20-1, paragraph 1-30, for guidance.

### **3-18. Travel by VIPs**

General information on the travel of VIPs will be handled as For Official Use Only information. Specific information on travel itineraries for VIPs should be classified CONFIDENTIAL in the interest of national security.

### **3-19. Casualties**

Use of the term "casualty" will be avoided in news releases when referring to military personnel. Instead, personnel will be identified in accordance with AR 40-2, paragraph 4-2, as follows:

- a. Dead. Indicate cause.
- b. Very seriously wounded/injured or very seriously ill (VSI). Indicate cause. (See para 3-24a.)
- c. Seriously wounded/injured or seriously ill (SI). Indicate cause. (See para 3-24a.)
- d. Slightly wounded/injured or slightly ill. Indicate cause. (See para 3-24a.)
- e. In a missing status. (See para 3-22.)

### 3-20. Injured and deceased personnel

Public release of information on injured or deceased personnel and their names will be made as soon as possible after the next-of-kin have been notified officially (AR 600-10, para 1-9 and chaps 5 and 12). Casualty matters are assigned protective markings of For Official Use Only. These markings normally are removed for injured and deceased personnel after verification that the next-of-kin have been notified.

### 3-21. Accidental casualties involving military personnel or equipment

a. When circumstances permit, one-story, single-release coverage of accidents or incidents is desirable. Normally, information released will be substantially as follows:

- (1) Announcement that an accident or incident occurred.
- (2) Location and time of the accident or incident.
- (3) Names and addresses of deceased and/or injured. Names and addresses of casualties will be withheld until such time as next-of-kin have been notified. Addresses will be limited to city and State.
- (4) In answering questions about the cause of an accident or an incident before official findings are available, the customary reply will be "An investigation is being conducted to determine the cause."

b. For the purpose of this regulation, a civilian aircraft under military charter is considered a military aircraft. Information concerning casualties will be released accordingly.

c. The following apply to all accidents occurring within Army installations:

- (1) Public release of names and addresses of deceased or injured military personnel normally will be withheld for official notification of next-of-kin. The PAO will coordinate with the local casualty office to ensure that the next-of-kin have been notified.
- (2) To remove or lessen the anxiety of other personnel on the installation, names and addresses should be released simultaneously with the release of accident news or as soon thereafter as possible in accord with (1) above.

d. Information on line-of-duty status or findings of misconduct by individuals, resulting from official investigations, will not be released to the public except with the approval of The Adjutant General, HQDA for Reserve or retired Army members, or HQDA (DAPC-PED) for Active Army members.

e. The following apply to all accidents occurring outside Army installations, whether overseas or within CONUS:

- (1) If military personnel are involved in accidents in civilian or military automobiles, trains, and commercial or private airplanes or in any other types of accidents, with the exception of (3) below, the PAO nearest the scene will coordinate with local law enforcement officials, representatives of transportation companies, and Army casualty personnel to ensure that the next-of-kin have been notified prior to public release of names and addresses of military personnel.
- (2) If an accident involves an Army aircraft that crashed in or on the borders of a city or town, or that causes civilian casualties or appreciable property damage (that is, if there has been a major intrusion into the civilian domain), the names and addresses of military personnel should be released immediately by the nearest PAO after official notification of their next of kin. If classified equipment is involved, normal security precautions on such equipment must be observed. (See para 3-6.)
- (3) If an accident involves an Army aircraft that crashes in a remote area, involves no civilian casualties, and causes no appreciable damage (that is, if there has been no major intrusion into the

civilian domain), names and addresses of military personnel should be withheld until the next-of-kin have received official notification of the accident.

(4) Requests for additional information will be handled as follows:

(a) Individuals requesting more information will be told that their names, addresses, and requests will be given to the soldiers or his or her next-of-kin. However, any communication with a requester will be solely the option of the next-of-kin or the soldier. Cases that cannot be resolved at the local level will be forwarded to HQDA (DAPC-PED), Alexandria, VA 22331-0400.

(b) Reports of casualty investigations may be released to the individual involved (or to the next-of-kin if the individual is deceased or in a missing status) under AR 340-17.

f. The policies of AR 360-80 will be followed in regard to release authority in instances of accidents or incidents involving more than one military service.

g. Because of national and international interest and implications, the release of casualty information on key U.S. Government personnel or equivalent rank foreign government visitors will be carefully coordinated. Casualty information on key personnel, killed, injured, or listed as missing while on a military installation or while being transported by military vehicle will be given to the proper officer for public announcement.

(1) The White House Press Secretary has sole approval authority for release of news about the—

- (a) President of the United States.
- (b) Vice President of the United States.
- (c) Speaker of the House of Representatives.
- (d) President Pro Tempore of the Senate.
- (e) Members of the Cabinet.
- (f) Foreign visitors of political or royal rank equivalent to the above listed U.S. Government officials.
- (g) Members of foreign governments below the rank cited in (a) through (f) above when guests of the United States.
- (h) Chiefs of foreign military services below the rank cited in (a) through (f) above when guests of the United States.

(2) OASD(PA) will approve the release of news on—

- (a) U.S. Senators.
- (b) U.S. Representatives.
- (c) Secretaries of the Military Departments.
- (d) Chairman, Joint Chiefs of Staff.
- (e) Chief of Staff, U.S. Army.
- (f) Chief of Naval Operations.
- (g) Chief of Staff, U.S. Air Force.
- (h) Commandant, U.S. Marine Corps.
- (i) Commanders, Unified and Specified Commands.

(3) The command concerned will handle information on accidents involving military or civilian personnel designated by AR 600-10 as special interest (for example, general officers, general officer designees, selected commanders, and civilians of comparable status). However, the OCPA duty officer will be informed of the accident prior to release of any information, if possible (telephone: commercial (202) 697-4200 or 695-0041; AUTOVON 227-4200 or 225-0041).

(4) Local PAOs are authorized to release information in response to press queries on individuals, by name, prior to notifying OCPA. However, once the information has been released, the OCPA will be notified immediately, through channels.

(5) Accidents occurring outside the United States require additional coordination with the U.S. Embassy or Consulate to ensure proper notification of the host government.

### 3-22. Persons placed in one of the categories of the Missing Persons Act (37 USC 551)

A missing person's name, grade, and date of birth; a statement indicating the individual's status (para 3-19e); and other proper information may be released. However, such information will be released only after verification is received that the next-of-kin have

been officially notified (AR 600–10) and search-and-rescue operations have been terminated. The names and addresses of the next-of-kin will NOT be released.

### **3–23. Persons being returned to military control from a missing persons status**

Information on the circumstances of or other details about the release, escape, or other method of return to military control of personnel classified as missing persons; data on their physical condition or scheduled return to the United States; or information these individuals may provide on other persons known or believed to be either casualties or in a missing status will not be released until after verification is received that the next-of-kin have been notified officially (AR 600–10).

### **3–24. Personnel under treatment in Army medical facilities**

The release of information to the public about patients undergoing treatment in U.S. Army medical facilities will be handled as follows:

*a.* Information about Army personnel, to include members of the Active and Reserve Component forces, retirees, and/or qualified dependents being treated in Army medical facilities will be released only in accord with the Freedom of Information Act (AR 340–17) and the Privacy Act of 1974 (AR 340–21). Biographical data, other than that releasable under AR 340–21, will not be released without the prior consent of the individual or, if the individual is unable to function for him or herself, by his or her representative. (See para 3–55.) In response to news media queries—

(1) Date(s) of admission and/or release of the patient from the medical facility may be provided.

(2) Description of the patient's condition may be provided only with the informed consent of the patient. This consent should be in writing. Such information will be limited to identifying the type of injury or disease (for example, burn, fracture, gunshot wound, pneumonia, and so forth). Any statement that may invite speculation will be avoided.

(3) Current assessment of the patient's condition may be provided, but will be limited to the statement, "The patient's condition is stable (or good, fair, serious, or critical)." (See AR 40–2.) Under no circumstances will a prognosis be given.

*b.* When personnel of other military services or Government agencies are being treated or hospitalized in an Army medical facility, authority to release information about such patients rests solely with the other Service or agency concerned. Army PAOs will assume such responsibility only upon the official request of the other Service or agency concerned. In such instances, the policies of AR 340–17, AR 340–21, and *a* above apply.

### **3–25. Personnel participating in alcohol and drug abuse control programs**

Public release of information regarding personnel who are, or were, participating in Army alcohol and drug abuse control programs is governed by policies in AR 600–85.

### **3–26. Army studies**

Premature release of emerging results of Army studies and/or analyses to agencies outside DOD, to include the public, before official approval may create confusion and misunderstanding about Army goals, objectives, policies, or lines of research. Results contained in any interim, draft, or final documents of Army studies, performed in-house or by contract, must not be released outside DOD until final approval or official review of the document concerned is accomplished. The release of any interim, draft, or final document must be approved by the sponsor through the contracting officer or contracting authority. (See AR 5–14, para 4–6*b*, and chap 9.) This requirement does not preclude early consultation with State and local officials when proper. (See para 3–2.)

### **3–27. Opposing Forces (OPFOR) Program**

See AR 350–2, section VI, for guidance on release of information to

the public about the OPFOR Program and for policy on public displays and/or demonstrations of OPFOR equipment and training.

### **3–28. Litigation and debarment cases**

Close liaison with the staff judge advocate concerned must be maintained about litigation or debarment cases to preclude premature release of information.

*a. Litigation.* As discussed in AR 27–40, paragraph 7–9*b*, matters in litigation or with the potential for litigation will not be discussed. At no time will PAOs speculate on such matters. The staff judge advocate concerned should be advised of any media queries about cases in litigation.

*b. Debarments.* Information about debarment cases will not be released to the public until a final decision is made on the case concerned. Once a decision is made, the fact that a company holding a Government contract has been debarred is releasable to the public. Prior to that time, PAOs may acknowledge that a specific company has been proposed for debarment. However, the media should be referred without comment to the contractor when questions arise about the basis for the case or the status of the proceedings.

### **3–29. Media coverage of equipment testing**

The Department of the Army does not permit media coverage of developmental, technology validation, or operational testing of Army systems.

*a.* The policy is based on the following considerations:

(1) Media coverage could result in premature disclosure of incomplete test data. This could bias subsequent testing and inappropriately influence decisions affecting the system.

(2) Media coverage could inadvertently disclose operations security sensitive information.

(3) Media coverage could disrupt the test environment, particularly affecting personnel participating in or performing the test.

(4) Media coverage could prejudice soldier confidence in the system when it is fielded, due to premature release of earlier test result information.

*b.* Exception to the policy which bars media coverage of such testing can only be made at HQDA level. Such requests should be submitted with justification to HQDA (SAPA–PP), WASH DC 20310–1509.

## **Section IV Visual Information**

### **3–30. Support**

Photography, television, audio, and graphic art to support public information programs and similar matters is authorized. Policies and procedures for audiovisual support to public information activities are in the AR 25-series.

*a.* Recording and reproduction for public affairs purposes will be limited to the minimum required to satisfy official needs.

*b.* Photographic and video coverage of VIP visits should be restricted to minimum essential requirements.

*c.* Civilian activities and social events normally are not proper subjects for military visual information documentation.

### **3–31. Recording of soldiers**

Public affairs officers should use care in releasing visual information documentation of soldiers. Soldiers always should be shown in situations which reflect accurately Army activities, missions, and uniforms. Visual information media will not be used to ridicule an individual.

### **3–32. Recording at courts-martial**

News media requests to photograph or record during a trial by court-martial will be guided by the following, unless more restrictive measures are necessary for security reasons to ensure a fair trial:

*a.* Photographing or videotape recording of the courtroom interior

may be permitted when persons involved in the proceedings are not present.

*b.* During the trial, photographing or recording the accused may be permitted when he or she is outdoors in public view. Photographing or recording an accused at any time will be done only under proper circumstances and never in a courtroom, cell, cell block, prison yard, or similar area or in the presence of other prisoners. Progress of a trial must not be impeded by such actions.

### **3-33. Photographing military installations or equipment**

Photographing, sketching, or making graphic representations, from the ground or the air, of military equipment classified under DODD 5200.1 and AR 380-5, or of installations designated Restricted Areas under AR 190-13, is punishable by law (18 USC 795). The reproduction, publication, or sale of this type of material is also punishable by law unless the photograph, sketch, or graphic representation indicates it has been reviewed and cleared for release by proper authority. (See 18 USC 795, 796, and 797, implemented by EO 10104, 1 Feb 1950.) If legal proceedings become necessary, guidance should be obtained from the staff judge advocate of the installation or activity concerned.

### **3-34. Release of unclassified official audiovisual information to foreign nationals**

(This regulation does not apply to the release of information to Government representatives through intelligence channels.) The procedures and policies in this regulation on release of information to U.S. media, organizations, or individuals apply to the release of official visual information material to foreign nationals. However, requests of an unusual or sensitive nature should be referred to HQDA (SAPA-PP), WASH DC 20310-1509, for coordination with proper agencies and approval.

### **3-35. Photographing and recording personnel in a hostile area**

*a.* Care must be used in releasing information, photographs, and recordings of U.S. personnel and allied forces killed, wounded in action, hospitalized, detained as a result of hostile action, or missing in action. Every consideration must be given to the rights of the individuals concerned, the effect publication of information or photographs would have on families and friends, and the potential adverse effect on military morale. The PAO will control media access to locations where common sense, good taste, and civilian practice prohibit access by photographers (for example, medical field operating and surgical areas). In the case of wounded personnel, the provisions in *b* and *c* below apply while an individual is in an area of hostile action, at a point of embarkment or entry, at a hospital or other military convalescent installation, or in transit.

*b.* Release of the following is prohibited:

(1) Photographs or videotape recordings of recognizable wounded or dead personnel not identified by name.

(2) Photographs or videotape recordings of recognizable wounded personnel identified by name until next of kin have been notified, unless the release is approved by the wounded.

(3) Photographs or videotape recordings of recognizable wounded personnel who have requested that their next of kin not be notified.

(4) Surgical or other major medical care photographs or videotape recordings which identify the patient.

(5) Photographs or videotape recordings showing deceased and/or wounded personnel in large numbers. Official photographs of combat dead under field conditions normally will not be released to the public media.

(6) Photographs or videotape recordings showing mangled bodies, obvious expressions of agony, or expressions of severe shock.

(7) Photographs or videotape recordings of, information about, or interviews with, psychiatric or other mental patients.

(8) Photographs or videotape recordings of plastic surgery or severe disfigurement cases, unless restorative effects are so successful they create confidence by the general public in use of such

techniques. In all such cases, the patient's permission to release the photographs must be obtained. Notations on permissions will be placed at the end of the identifying captions.

(9) Photographs or videotape recordings of blind or deaf patients, unless permission for release is given by the patient. Notations on permission will be placed at the end of the identifying captions.

(10) Photographs or videotape recordings of amputees demonstrating prosthetic appliances, unless permission is given by the patient. Notations on permission will be placed at the end of the identifying captions.

(11) Photographs or videotape recordings of personnel missing in action or detained before next of kin have been notified and search-and-rescue operations have been terminated.

*c.* The following actions on war wounded and dead are also prohibited:

(1) Photographing, recording, or interviewing combat wounded in medical facilities in transit if the necessary intelligence briefing has not been completed. (In special cases, a wounded individual's files should contain documentary evidence that intelligence briefing, if required, has been accomplished.)

(2) Photographing, recording, or interviewing combat wounded in medical facilities in transit if the photography or the interview interferes with medical treatment.

(3) Photographing, recording, or interviewing combat wounded in medical facilities in transit if the physical condition of the wounded individual prohibits such activity.

(4) Photographing, recording, or interviewing combat wounded in medical facilities in transit if the wounded individual objects.

(5) Photographing or recording in preparation rooms of graves registration facilities or in temporary cemeteries (AR 638-30 and FM 10-63).

*d.* Unofficial photography or interviews by commercial media representatives of the persons and situations listed in *b* and *c* above should be discouraged. PAOs will inform the media representative of Army restrictions and of the impropriety of their actions. If a photographer persists in taking photographs, the PAO should not take any action to recover the film, but will immediately report the problem through public affairs channels to higher headquarters.

### **3-36. Photographing and recording personnel under treatment in Army medical facilities**

Permission to photograph or record a patient in a U.S. Army medical facility will be given only when the prior informed consent of the patient has been obtained in writing. In addition, the attending physician and/or medical facility commander must determine that such activity will not jeopardize the condition or welfare of the patient or nearby patients. Patient photography will be prohibited when it infringes on the patient's right to privacy or causes embarrassment. At all times, photography of patients must meet accepted standards of propriety and be in accord with paragraph 3-35b.

### **3-37. Army support to nongovernmental audiovisual productions, advertising, and promotions**

*a. Audiovisual productions.* Support and assistance to nongovernmental productions or programs, other than those dealing with spot news events, will be governed by the following:

(1) *Cooperation with nongovernmental audiovisual media.* When the production subject matter is of local interest only and will be shown only within the local area, Army installations, commands, agencies, and activities are authorized to assist nongovernmental audiovisual media without prior approval of HQDA or OSD. Requests for assistance to audiovisual projects that fall in the category of "national" or "regional" interest, as defined in the glossary, and those which involve production of theatrical or television motion pictures, documentaries, television series, or television "specials" must be approved by OCPA and OASD (PA) and will be processed in accordance with DODI 5410.15, DODI 5410.16, and provisions of this paragraph. Commanders of active Army, ARNG, or USAR installations, activities, or units are not authorized to make commitments or render official opinions on requests for assistance to "national" or "regional" audiovisual projects without such approval.

(See (3) below for approval authority for participation in commercial radio or television broadcasts.)

(a) PAOs receiving requests for assistance to other than "local" interest audiovisual projects from private individuals, production companies, or State or city film boards will forward such requests, with recommendations, through channels to HQDA (SAPA-PP), WASH DC 20310-1509, or they may refer the requestor directly to OCPA (commercial: (202) 697-4739).

(b) It is DA and DOD policy to provide assistance to entertainment-oriented projects when cooperation will benefit DA and DOD, or when assistance is in the best national interest. To be considered for support, a production must meet the following criteria:

1. It must be authentic in its portrayal of actual persons, places, military operations, and historical events. If fictional, it must portray military life in a plausible manner.

2. It is of informational value and will assist in the public's understanding of the Army and the Department of Defense.

3. It cannot appear to condone or endorse activities by private citizens or organizations that are contrary to U.S. Government policy.

(c) To request support, a producer must submit the following to DA or DOD:

1. A letter describing the specific motion picture, television program, or video product, stating the story/project objectives.

2. Five copies of the script for review and evaluation.

3. A detailed list of requirements in quadruplicate. (See fig 3-1.) If a detailed list is not available when the script is initially submitted, requirements should be stated in general terms at the outset. However, no DA or DOD commitment will be made until the detailed list of requirements is approved.

(d) The production company will be responsible for reimbursing the U.S. Government for any additional expenses incurred as a result of assisting the production. (See app. C for billing procedures.) The producer will be required to sign a written "Reimbursement Agreement" (fig 3-2) with the appropriate DA agency/command, and post advance payment or a sufficient "Letter of Credit" (fig 3-3) to cover the estimated costs before receiving DA assistance.

(e) Operational readiness of Army organizations will not be impaired. Diversion of equipment, personnel, and materiel resources will be kept to a minimum and will only be on a noninterference with military operations and training basis.

(f) There will be no deviation from established DA/DOD safety standards.

(g) OCPA will determine if a full-time project officer needs to be assigned for commercial productions receiving DA support. When a motion picture is being filmed on an Army installation, the project officer will normally be provided by that installation. When circumstances dictate, the project officer will be provided by the Los Angeles Branch of OCPA. When the project officer is not assigned to the local installation, a member of the local public affairs office will assist the project officer and serve as a liaison with local organizations and activities supporting the production.

(h) Official activities of military personnel assisting in the production, except for the project officer and technical assistant(s), must be within the scope of their normal military duties. (See apps D and E for guidelines concerning project officers and technical advisors.)

(i) Army materiel and personnel services must not compete with commercial or private enterprises. The requester will furnish a statement certifying that materiel or personnel services are not available through commercial or private enterprises.

(j) The producer must agree to restore all Government property and facilities to their original or better condition comparable with when they were made available.

(k) The production company must provide proof of adequate liability insurance and must agree to hold the Government harmless in case of accident, injury, or loss of property in connection with DA or DOD assistance to the project. Before filming, legally sufficient

"Hold Harmless" agreements must be executed between the producer and each installation or command used as a location or providing assets to the project. (See fig 3-4.)

(l) The production company must arrange for an official DA/DOD screening in Washington, DC, before general public release of the production. Preferably, this review should be before composite printing to facilitate any changes that may be required.

(m) The production company will provide DA or DOD representatives still photos and promotional material for historical purposes in documenting DOD assistance to the production. To permit documentation in both DA and DOD archives, a minimum of two copies of all such material is required.

(n) Military personnel may participate in a production as extras when in an approved leave status. Military command information assets may be used to announce the availability and conditions of employment as movie extras. Employment contracts between individual military personnel and the production company are private legal agreements. The Army will not become involved in any way in these agreements. DA personnel accepting such employment will comply with AR 600-50. The individual's uniform will be worn only when it is used to identify the Military Service to which the person belongs.

(o) DA/DOD will coordinate scripts submitted for production assistance consideration with each Army command/organization depicted in the script as well as those responsible for policy/doctrine issues involved in the script. After the script has been reviewed, comments and suggested script changes will be provided to the producer.

(p) Final DA/DOD approval will be contingent on there being an approved script and an agreement between DA/DOD and the producer on the requirements list.

(q) Footage shot with DA/DOD assistance and official DA/DOD footage released for a specific production cannot be reused for other productions without DA/DOD approval.

(r) When a production qualifies for assistance under the general principles outlined in paragraph (c), above, DOD motion picture and video stock footage is available for purchase or loan.

(2) *Little theater.* Little theater productions normally are restricted to local audiences. Commanders of installations in the vicinity of such activities may authorize cooperation. This cooperation normally will be technical advice and information. Such assistance should be based on consideration of a (1) (b) above.

(3) *Commercially sponsored radio or television broadcasts.* Approval for participation of Army personnel in an official capacity or unofficially while in uniform in commercially sponsored radio or television broadcasts is governed by the level of interest. (See glossary for definitions of "local," "regional," and "national" interest material. See also (1) above.)

(a) Local program participation requires approval by the local commander.

(b) Regional program participation (including "talk shows") requires approval by HQDA (SAPA-PP).

(c) National program participation (including "talk shows") requires approval by HQDA (SAPA-PP) and OASD (PA).

(d) Entertainment participation must be unique in character, have no commercial counterpart, and contribute to a specific Army interest. It will not interfere with the customary employment and regular engagement of civilian performers. The sponsor must agree before the broadcast to satisfy all copyright requirements.

(e) Prior approval for appearance on audience participation programs is usually not possible due to the spontaneity of the program. Conduct on such programs should reflect favorably on the Army.

(4) *Promotional assistance to nongovernment audiovisual media.* All requests for promotional assistance from motion picture and/or television producers will be submitted, with recommendations, through proper channels to HQDA (SAPA-PP), WASH DC 20310-1509 for submission to OASD (PA); or the requester may be referred directly to OASD (PA).

b. *Use of Army themes, material, uniforms, and insignia in advertisements and promotions.*

(1) It is the U.S. Army's policy not to assist in the production of

any advertisement or promotional venture which implies Army endorsement of a commercial product, service, or company. However, specified material and activities of the Army may be approved for use in commercial advertisements and promotions. They will be considered only if there is no violation of public law or DOD and DA policy and if the following criteria are met:

(a) Materials or activities will be depicted factually and will be in good taste.

(b) Use of the materials or activities will be in the best interests of the Government and of DA.

(c) All implication of DA endorsement will be avoided.

(d) The material will contain a proper disclaimer, if circumstances require.

(e) Claims made or implied in the material are not misleading.

(2) Individuals, industrial and business concerns, advertising and public relations agencies, and other entities desiring to use Army themes in advertising, promotion, or information campaigns should submit prepared treatments of such themes to OCPA.

(3) Commanders of Active Army, ARNG, and USAR units, installations, activities, or commands subordinate to HQDA are not authorized to give assistance or support to the production of commercial advertisements or promotions without prior approval of OCPA and OASD (PA). Requests received for such support will be forwarded with recommendations to HQDA (SAPA-PP), WASH DC 20310-1509, for coordination and for approval of OASD (PA), or the requestor may be referred directly to OCPA or OASD (PA).

(4) In cooperating with an advertiser, DA does not assume responsibility for the accuracy of the advertiser's claims or for its compliance with laws protecting the rights of privacy of the military personnel whose photographs, names, or statements appear in the advertisement.

(5) It is a violation of the Standards of Conduct for personnel of the Department of the Army to endorse officially commercial products or services. Members of the Active Army, Reserve Component personnel on active duty and DA civilian employees may not use their titles or grades, or appear in uniform to express or imply official Army connection with or endorsement of such products, services, or business entities. Commercial endorsement by Reserve Component personnel not on active duty and retirees is governed by AR 600-50, paragraph 2-5b.

(6) Permission to use or reproduce the Department of the Army Seal for other than official purposes is governed by AR 840-1, paragraph 5a.

(7) Permission to use or reproduce U.S. Army insignia, decorations, medals, badges, Department of the Army plaque and other heraldic items may be granted only by the Institute of Heraldry. (See AR 672-8 and AR 840-1 for guidance.)

### **3-38. Productions by Army agencies and commands**

Visual information productions made by the Army and intended primarily for public release (excluding materials to be used locally or dealing with spot news events which take place without prior planning or knowledge) must be approved by HQDA and OSD prior to the commitment of military funds. See the AR 25-series for policies and procedures on productions of visual information materials.

## **Section V**

### **Activations, Inactivations, Realignments, and Personnel Reductions**

#### **3-39. Activation, inactivation, or realignment of installations, facilities, or activities and/or associated personnel reductions**

a. Accurate and timely information, consistent with security and the policies of AR 5-10, will be released to the public when the decision has been made to activate, inactivate, or realign an installation, facility or activity, and/or associated personnel reductions. Initial announcements of such actions are made at HQDA level, through OSD, when the action—

(1) Requires prior notification of Congress, as specified in AR 5-10, paragraph 2-2, because of military or civilian personnel reductions which will go into effect either in the near term or by attrition over an 18-36-month period.

(2) Involves reductions in Government personnel as a result of commercial activity (CA) actions. (See AR 5-20.)

(3) Involves exceeding Government installations or facilities.

(4) Has generated congressional and/or public interest or has been a subject of public controversy during the decision-making process.

b. The criteria in a above are flexible and exceptions may be made as to the level at which initial public announcement is to be issued. The commands concerned will be notified when such exceptions are to be made.

c. A public affairs guidance message will be issued by HQDA (SAPA-PP) to the command(s) concerned prior to the scheduled announcement date for actions discussed at a above.

d. Army personnel will avoid making statements which can be interpreted as official in nature and may invite speculation about possible inactivations, realignments, or strength reductions.

### **3-40. Unit activations, inactivations, and reorganizations**

a. Normally, the initial release of information on activations, inactivations, and reorganizations of Active Army units of brigade or larger size will be made at the national level. Activations, inactivations, or reorganizations of smaller Active Army units may be announced by the MACOM concerned, except when such actions involve one or more of the criteria in paragraph 3-39. In such instances, initial public announcement will be made at HQDA, through OSD, for units of less than brigade size, as well. Provisions of this subparagraph do not apply to announcements of such actions for Reserve Component units. (See AR 5-10.)

b. The following safeguarded information is not releasable, except as provided in c below, on any phase of activations, inactivations, redesignations, reorganizations, training, or movement of units either within the United States or to overseas destinations:

(1) Exact personnel strength and composition of units.

(2) Status, amounts, or quality of equipment.

(3) Combat efficiency.

(4) Information on deployment of units to combat areas.

c. When an activation, inactivation, redesignation, or reorganization involves a Reserve Component unit, information will be released as follows:

(1) USAR units. The local commander may release information, listed at b(1) through (3) above about the local unit.

(2) ARNG units. The National Guard Bureau will notify the ARNG unit concerned. When such notification is received, the ARNG unit commander concerned may release information, listed at b(1) through (3) above, about the local unit.

### **3-41. Training and movement of units**

Information on training or movement of units which is not safeguarded or restricted by paragraph 3-40b or other provisions of this regulation may be released by the responsible commander, except in the cases of major or joint exercises. Initial release of information on major Army exercises will be made at HQDA, through OSD. Initial release of information on major joint exercises will be made by OSD with later announcements by the joint commander.

## **Section VI**

### **Chemical Warfare and NBC Defense Matters**

#### **3-42. Chemical warfare and nuclear, biological, and chemical (NBC) defense information clearance**

Prior to the initial release of information on chemical warfare and NBC defense related matters outside DOD, the information will be coordinated with OCPA, HQDA. This applies to all Army agencies, contractors, subcontractors, vendors and suppliers. The release of new information on any chemical warfare and NBC defense or related matters may become an item of national interest. Such information must be cleared through the OASD (PA) by OCPA.



*a.* Material once cleared for public release may be used in subsequent releases only if the following conditions are met:

- (1) Competent authority has confirmed that the information remains in conformance with current DOD policy.
- (2) The original context of the information is preserved.
- (3) No new material is added.

*b.* A prior commitment will not be made to release chemical warfare and NBC defense information to any information medium. Such information will not be released until it has been properly cleared.

*c.* Participation by Army agencies and individuals in television programs, on-camera interviews, or print media interviews primarily on chemical warfare or NBC defense will be cleared in advance with OCPA.

*d.* This policy does not apply to requests for information under the Freedom of Information Act which will be processed under AR 340-17. When information is to be released under the Freedom of Information Act, OCPA will be notified as soon as possible through public affairs channels.

*e.* The guidance in *a* through *d* above does not restrict release by Army units and agencies of information on—

(1) The routine use of nonchemical surety material, such as pyrotechnics, flamethrowers, smoke agents and delivery means, and incendiaries.

(2) Any unclassified agent, item of equipment, or technique used for training purposes only.

### **3-43. Biological, chemical, and nuclear accidents and incidents**

See chapter 10 for guidance.

### **3-44. Nuclear reactors or facilities**

See chapter 10 for guidance.

## **Section VII**

### **Other General Policies**

### **3-45. Political activities and election campaigns**

As a matter of long-standing policy, the DA does not engage in any activities that could be interpreted as associating the U.S. Army with particular political causes or candidates. Policies discussed below apply to all political activities, to include election campaigning at local, State, and Federal levels.

*a.* Authorized Army newspapers, periodicals, and civilian enterprise publications will not carry any partisan discussions, cartoons, editorials, or commentaries dealing with political campaigns, candidates, or issues, except as authorized by AR 360-81, paragraph 3-13. Political coverage by the Army radio and television system stations in CONUS must be in accord with AR 360-81, paragraph 3-13, and chapter 4. American Forces Radio and Television Service (AFRTS) outlets and networks will make factual political news from the United States available to the authorized audience stationed overseas in accord with AR 360-7, paragraph 3-3i.

*b.* Installation commanders should not permit the use of installation facilities by any candidate (either incumbents or new office seekers), members of their staffs, or their campaign representatives for political assemblies or meetings; fund-raising dinners for political candidates, parties, or causes no matter who is the sponsor, or like social events in onpost clubs; and press conferences or similar activities. If an installation or activity is contacted by a candidate or campaign organization representative concerning a proposed visit or request for briefing, the PAO should immediately inform the appropriate MACOM before confirming visitation arrangements.

(1) Members of Congress, whether or not candidates for reelection, may visit Army installations to receive briefings, tours, and/or informational materials. Any request received directly from a Member of Congress' office to visit an installation should be referred to the OCLL, HQDA. The OCLL will act on the request and provide

necessary instructions through its channels to the installation concerned. See AR 1-20, paragraph 2-3, for reporting requirements when a Member of Congress visits an installation.

(2) Candidates who are not Members of Congress may be given the same access to installations as that to which any other visitor is entitled.

(3) Candidates, either incumbents or new office seekers, for local and/or State offices may be given the same access to installations as that to which any other visitor is entitled.

(4) Prior to visiting an installation, political candidates must be informed that while on the military installation all political activity and media events are prohibited, to include onpost media coverage of the candidate's visit. Requests for exceptions to this policy should be submitted to HQDA (SAPA-PP), Washington, DC 20310-1509. All requests for exception must fully explain how the visit supports official government (local, county, State, Federal) business. Requests must be submitted at least 5 working days prior to the candidate's visit to allow for coordination with OASD (PA), which must approve all exceptions.

(5) Requests from candidates to film or tape campaign commercials in front of military equipment on post will be denied.

(6) Filming outside the post with the installation's main gate in the background is permissible because it is outside Government property.

*c.* Army support, including troops, bands, and color guards, to political meetings, ceremonies, or similar events is prohibited. Requests for Army speakers should be evaluated carefully to preclude participation in politically oriented programs. (See AR 360-61.)

*d.* Campaign literature may be distributed on Army installations in accordance with AR 210-10, paragraph 6-4. However, active duty military personnel are prohibited from distributing such materials. (See AR 600-20, app A.)

*e.* Speeches, articles, and public comment by Army personnel, in their capacity as Army representatives, must not contain material which may be construed as partisan in nature. To preclude this—

(1) The review procedures discussed in chapter 4 for speeches and articles for publication by Army personnel will be followed.

(2) Media queries for information, the answer to which may have overt political implications or expression of opinion on political causes, candidates, or parties will not be entertained.

*f.* Policies on the conduct of political polls, ballots, or straw votes and their use is contained in AR 608-20, paragraph 13.

*g.* Members of the Army, including active duty personnel, Reserve Component personnel on active duty, and civilian employees are required to adhere to various policies on individual participation in political activities. These policies address a wide range of activities including speeches, campaign efforts, and solicitation of support for candidates. The policies governing the activities of military personnel are set forth in AR 600-20, chapter 5, and appendixes A and B. The policies governing the activities of civilian personnel are set forth in part 733 of title 5, Code of Federal Regulations.

*h.* Any situations regarding political election campaign activities not covered above will be brought to the attention of the appropriate MACOM public affairs office for resolution.

### **3-46. Special Army programs**

Public affairs officers at all levels should know about special Army programs and be prepared to support them. Examples of these programs are as follows:

*a.* Army Safety Program (AR 385-10).

*b.* Energy conservation. See AR 11-27, chapters 6 and 7, for public affairs requirements and support.

*c.* Human resources development programs (alcohol and drug abuse, law enforcement, physical security, crime prevention, leadership and behavior, and equal opportunity). (This includes AR 190-series, AR 195-series, and AR 600-series.)

### **3-47. Personal letters or communications**

The author of a personal letter or similar communication has a copyright in the letter which gives the author the exclusive right to make and distribute copies of that letter. Mailing of a letter does not

transfer that copyright. The authorized recipient only owns the document itself without the right to make or distribute copies. In some cases, the right to publish the letter is understood from the circumstances, as in the case of a letter to the editor of a newspaper. Also, the Army may make necessary copies to perform internal functions. The recipient does have the right to sell or transfer the original document as an item of property. The Army does not normally give away property without statutory authority. The recipient can lawfully display the original letter to one or more members of the public at the place where the letter is maintained. If the observer makes a copy of the letter, the observer could be liable for copyright infringement. Official correspondence by Army personnel and civilian employees is outside this category of personal letters. Proposed release outside the Army of personal letters or similar communications will be handled as follows:

a. If release is requested under the Freedom of Information Act or Privacy Act, the request will be processed under AR 340-17 or AR 340-21, as appropriate.

b. If the intent of the author to allow publication or distribution of copies is clear from the contents of the letter and related correspondence, copies may be released.

c. If display of the letter would not interfere with the rights of privacy of the author or another, a member of the public may be permitted to inspect the original letter. If appropriate, custody of the original letter could be transferred to another Army representative to facilitate the inspection. No Army representative may make a copy of the letter under this procedure, except that the official responsible for retention of the records could have an archive copy pending return of the original letter. The person inspecting the letter should be cautioned about potential infringement liability for making or distributing a copy of the letter.

d. A copy of the letter may be released upon prior written consent of the author or the author's legal representative. Such consent could be forwarded through the requester, or it could be obtained under the procedures in AR 310-1.

e. Unless one of the above provisions applies, a proposal for release of a personal letter will be submitted to OCPA for determination.

### **3-48. Visits to Army installations by foreign news media representatives**

As stated in AR 380-25, paragraph 2-4d, OCPA is the sole authority for approval of requests by foreign news media representatives to visit Army installations, activities, or agencies. See AR 380-25, paragraph 1-1a, for exceptions to this policy. Such requests will be forwarded, with recommendations, through public affairs channels to HQDA (SAPA-MR), WASH DC 20310-1507. When approved, the installation and/or command concerned will be notified by OCPA. In all cases, foreign news media representatives are prohibited access to classified information, activities, and/or areas.

### **3-49. Environmental protection and enhancement**

Public affairs responsibilities and support in connection with the Army Environmental Protection and Enhancement Program are in 200-1. Public affairs officers at all levels must be familiar with environmental laws. These include the requirements of the National Environmental Policy Act (NEPA) (see AR 200-2) and Executive Order 11752. This order charges the Army to comply with Federal, State, and local environmental standards and demonstrate leadership in environmental enhancement. Public affairs officers should work closely with local environmental coordinators. This should be done on a continuing basis and especially when Environmental Impact Statement (EIS) actions are conducted. See AR 200-2 for actions that may require EISs. These actions include installation activations, base closures, realignments, and reductions; real estate acquisition; major construction projects; training exercises when significant environmental damage may occur; opening or closing of areas; dredging waterways; and movement or other actions on chemical agents or munitions. The EIS process, given in AR 200-2, may include

public hearings of crucial interest and concern to the news media and the public.

### **3-50. Land acquisition**

It is essential that the public be informed as soon as possible, with as much information as possible, on land acquisition studies. Congressional notification must precede or coincide with public release. Close coordination is imperative among local and MACOM public affairs officers and OCPA on all land acquisition actions. (See AR 405-10.)

### **3-51. Noninvestigative public affairs files on organizations and individuals not affiliated with the Department of Defense**

See AR 380-13, paragraphs 3b and 8b(10), for guidance.

### **3-52. Procedures for handling requests for political asylum and temporary refuge**

See AR 550-1, paragraph 8, for guidance.

### **3-53. Questionnaires, surveys, polls, and opinion research projects**

See AR 600-46 for information.

### **3-54. Distribution of literature on Army installations**

See AR 210-10, paragraph 6-4, for guidance.

### **3-55. Personal privacy**

The Privacy Act of 1974 (5 USC 552a), implemented by AR 340-21, prohibits DA from publicly releasing certain items of information on an individual. Guidance on application of the Privacy Act to public affairs activities is in appendix B.

### **3-56. Release of information on disciplinary actions**

See AR 340-17 for guidance.

### **3-57. Criminal investigation, DA polygraph activities**

See AR 195-6, paragraph 2-7, for guidance.

### **3-58. Release of information from criminal investigation and military police records, reports, and forms**

See AR 190-45, chapter 3; AR 195-2, paragraph 4-3; AR 340-17; and AR 340-21 for guidance.

### **3-59. Military intelligence and counterintelligence and technical surveillance countermeasures**

See AR 381-14 and AR 381-20, paragraph 6-3a, for information.

### **3-60. Groundbreaking, dedication, and memorialization ceremonies for U.S. Army Reserve centers**

See AR 1-33, section III, for guidance.

### **3-61. Use of animals in research, development, test, and evaluation (RDTE) and biomedical training programs**

See AR 70-18, paragraph 13, for guidance.

### **3-62. Commercial solicitation on Army installations**

See AR 210-7 for guidance.

### **3-63. Disclosure of military information to foreign governments**

Requests from foreign governments for information or visual information materials should be referred to the nearest security manager in accord with AR 380-10, paragraphs 3-7 and 3-32.

### **3-64. Visits to Army installations by Members of Congress**

See paragraph 3-45 of this regulation and AR 1-20, chapter 2, for guidance.

**3-65. Countering terrorism and other major disruptions  
on military installations**

See AR 190-52 for guidance.

**3-66. Civil disturbances off military installations**

See paragraph 3-7b of this regulation, AR 500-50, and AR 500-51  
for guidance.

Detailed DOD Requirements List						
Equipment, materiel, and personnel requested	To be used in scene #	Date	Time	Location	Description of action	DOD estimated costs

Figure 3-1. Sample of Detailed DOD Requirements List

### **Reimbursement Agreement**

1. Attached to this agreement is a list of requirements for the production of “*(title)*” that the Department of Defense has approved for its official support. This list also contains estimates of the expenses that the U.S. Government expects to incur as a result of providing assistance in support of each of these requirements. *(Production company or studio)* agrees to reimburse the U.S. Government for all such expenses, and agrees further, in anticipation of such reimbursement, to post *(advanced payment or Letter of Credit)* to *(DOD organization providing support or as appropriate)* in the amount of (as applicable).

2. It is understood that DOD property, facilities, equipment, and personnel will be made available during the dates and times listed on the attached Detailed DOD Requirements List unless unusual and unforeseen mission requirements prevent such assistance. Minor deviations from the attached schedule may be necessary, but only as agreed to by mutual consent of *(production company or studio)* and the DOD installations and commands concerned.

3. The undersigned have read, understand, and agree to abide by DOD Instruction 5410.16.

4. DOD Components agree to send *(production company or studio)* invoices via the assigned project officer for the costs and the charges assessed as reimbursable to the U.S. Government for the assistance provided in connection with “*(title)*” not later than *(date)*. In addition, if the aggregate of such costs and charges is less than the amount hereby posted, the Department of Defense agrees to enclose a check with such invoice in an amount equal to *(amount posted)* less such charges and costs.

*(Signature)*

*(Date)*

*(Project officer signature)*

*(Date)*

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**Figure 3-2. Sample of Reimbursement Agreement**

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## Letter of Credit

*(Number of Letter of Credit and reference)*

*(Date)*

Treasurer of the United States  
c/o (Assigned project officer)

Dear Sir/Madam:

We hereby establish our irrevocable credit no. *(number)* in your favor by order and for account of *(name of production company or studio and title of production)* up to an aggregate amount of \$ *(amount)* available by demand drafts drawn on us by a representative of) (specific DOD Component accounts providing reimbursable support). Drafts must be accompanied by a written statement of the interested DOD Component that the amount drawn under this credit represents the deposit required as a guarantee that DOD assist in said production. Drafts drawn under this credit must be marked, "DRAWN UNDER LETTER OF CREDIT NO. *(number)* OF (NAME AND ADDRESS OF ISSUING BANK)."

Except as otherwise expressly stated, this documentary credit is subject to the "Uniform Customs and Practices for Documentary Credits."

We hereby agree with you that the drafts drawn under and in compliance with the terms of this credit shall be duly honored on presentation to (name of bank) if presented on or before *(date)* .

*(Authorized signature of bank official)*

Note:

Some banks use language that varies from that shown in the sample. Variations from the prescribed text may be permitted if the meaning of the letter of credit prepared by the bank is the same. Each of the paragraphs of the prescribed letter of credit is an essential part of the agreement. No paragraphs will be added and none will be deleted. Where there is any doubt as to the acceptance of an irrevocable letter of credit, obtain legal advice. Each letter of credit must be clearly irrevocable and is not acceptable if the expiration date stated is less than 30 days (*stateside*) or 90 days (*overseas*) from the end of the month in which photography is expected to be completed. For further information, consult DOD 4160.21-M, "Defense Utilization and Disposal Manual," September 1982.)

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Figure 3-3. Sample of Letter of Credit

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### Hold Harmless Agreement

Regarding the use of Department of Defense (DOD) facilities or equipment for production of “(title of project),” (production company/studio) shall indemnify, defend, and hold harmless the U.S. Government or others for any claim for personal injuries (including death) to the Government’s officers, agents, servants, or employees, or to any other person, arising out of, or incidental to, the possession or use of the facilities or equipment. (Production company or studio) certifies they have maintained at their sole expense insurance governing this risk, including their liability to the Government, on account of bodily injury or death or property damage arising out of or incidental to their possession or use of property of the Government.

(Signature)

(Title)

(Date)

(Witness)

(Date)

(Witness)

(Date)

Figure 3-4. Sample of Hold Harmless Agreement

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## Chapter 4 Clearance of Speeches and Manuscripts

### 4-1. Policies

a. Clearance is required for certain official and unofficial speeches and writings that are to be presented or published in the civilian domain.

b. Writings and speeches requiring review will be cleared at the lowest level by PAOs who know the subject matter and audience, unless otherwise indicated in this chapter. Although subordinate elements properly may clear materials, they may not deny clearance. When review by a subordinate element shows any doubt, or that clearance by higher headquarters is required, the material along with field-level findings and recommendations will be sent through channels to HQDA (SAPA-OSR), WASH DC 20310-1506.

c. Public speeches or publication of writings by individuals will not—

(1) Delay dissemination of information released through usual PA channels.

(2) Be contrary to law (for example, the Uniform Code of Military Justice (10 USC 801-940), the Hatch Act (5 USC 7324-7327), or other statutes).

(3) Violate the standards of conduct in AR 600-50.

d. General officers and their civilian counterparts will speak in public from a cleared, prepared text.

e. Officers in the rank of Lieutenant General and above and civilian equivalents must clear their speeches with OASD (PA).

f. Prior clearance of a manuscript or speech for a specific occasion does not necessarily give blanket approval to use the same manuscript or speech on other occasions. Prior to repetitive use of a speech or manuscript on subjects in paragraphs 4-2a(1) and 4-2a(2), HQDA (SAPA-OSR) should be contacted to ensure that the clearance originally granted is still valid.

### 4-2. Requirements

a. OSD or HQDA must clear the materials listed below.

(1) Official writings or speeches by HQDA representatives or material that has an official connotation which is to be published or delivered outside DOD.

(2) Speeches and writings by any active duty Army member or civilian employee on matters of national interest, as defined in OSD and DA policy directives or as referenced in paragraph 3-1a.

b. Writings or speeches that may be cleared below HQDA level are those which meet all the conditions listed below.

(1) Prepared by Active Army members or civilian employees of a subordinate element of HQDA.

(2) Intended for a local or regional audience.

(3) Written on subjects within the control of the clearing command.

c. Materials that normally do not require clearance are as follows:

(1) Writings and speeches on topics not involving operations of the national Government, foreign policy, or military matters described in paragraphs 4-2a and b; letters to the editor when expressing a personal opinion; book or theatrical reviews expressing personal opinion or knowledge; and works of fiction. These writings and speeches will not imply official Government sanction. Such materials need not be submitted for review; however, individuals must safeguard classified information. (See para 3-37a(3) for participation in talk shows.)

(2) Works of fiction (such as short stories, novels, movies, or plays) that are based on actual military situations or operations. Such materials may be submitted for advisory security review when there is doubt as to the security classification of the information being used in a work of fiction. Individuals requesting review of such writings by HQDA (SAPA-OSR) will submit only those portions of the manuscript in question.

(3) Manuscripts or speeches by retired Army personnel and members of the ARNG and the USAR not on active duty. Such materials are not required to be submitted for clearance. However, these persons may voluntarily forward materials for an advisory security review to HQDA (SAPA-OSR), WASH DC 20310-1506.

Materials prepared for publication which draw upon classified information gathered while individuals were on active duty will be submitted for review.

*d.* Public affairs officers at any level will not become involved in the clearance of technical or scientific manuscripts or speeches, as defined in the glossary. (See AR 70-31; and para 3-1*a* and chap 9 of this regulation.) However, PAOs should review such materials to help the proponent determine whether clearance can be granted at the local level or if the material must be reviewed by higher headquarters. Such determination will be based on the subject matter of the material, not on the technical accuracy of the contents.

#### 4-3. Guidelines

*a.* Individuals may write articles for publication in official DOD publications if the manuscripts are cleared prior to publication. Individuals preparing material may use military facilities and clerical assistance. Official DOD publications include authorized newspapers and magazines which represent a particular element, branch, or group of branches of a military service. They do not include commercial service-oriented publications.

*b.* Persons subject to this regulation will neither furnish nor make commitments to furnish information material to non-DOD publications or other public forums on subjects that require OSD or HQDA review until after approval or clearance is obtained. Personal literary and public speaking efforts will not be conducted during normal working hours or accomplished with the use of Army facilities, personnel, or property. In addition, such persons will not use information from official sources that is not available to outside writers.

*c.* Key civilians (such as Assistant Secretaries of the Army and Senior Executive Service (SES) personnel), general officers, and other DA personnel in positions of unusual prominence or authority may publish writings on national defense plans, policies, programs, or operations under their names only when such material is prepared solely for official publications of DOD or other Government agencies, service journals, house organs, encyclopedias, or recognized scientific and professional journals. Material may be published in unofficial general circulation media under the byline of a key official if publication will significantly benefit the national interest. A request and justification for such bylined publication will be sent to HQDA (SAPA-PP), WASH DC 20310-1509, for evaluation and determination.

*d.* In the interest of academic freedom and the advancement of national defense-related concepts in the military service school environment, Army students and members of staff and faculty of those schools may prepare manuscripts for publication in a private and unofficial capacity. They may express their views in such materials, as long as those views do not disclose classified or operations security information. Manuscripts prepared by service school personnel, including faculty and students, will be submitted through appropriate channels for security clearance prior to release to any publisher unless they are exempted under provisions of paragraph 4-2*c*(1). An appropriate disclaimer will accompany manuscripts submitted for publications in a private capacity. The following is considered an appropriate disclaimer: "The views expressed in this article (book) are those of the author and do not reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government."

*e.* Material submitted to HQDA and OSD in accordance with paragraphs 4-1 and 4-2 will be cleared for public release only after it has been reviewed and necessary amendments made. This will be done to ensure that it does not compromise classified national security information and that it is consistent with established DOD and other U.S. Government policies and programs. Material submitted for review will not contain information known by the office of origin to be classified. Security clearance of material indicates only that it does not contain classified information or information exempt from release by law.

*f.* Clearance of material will not be refused to hide administrative error or inefficiency.

*g.* Any individual who, in an unofficial writing or speech, uses a

title or other identification connected with DOD will include with such material the disclaimer at *d* above. The writer will not use a title or other DOD identification in connection with the material if requested to refrain from doing so by the reviewing authority.

*h.* Individuals may accept payment for private literary efforts, including both writings and speeches. However, they will not—

(1) Receive pay (including honoraria) for speeches or literary efforts provided as part of their official and formal duties.

(2) Speak or write on a regularly scheduled basis for commercial publications or interests without prior written approval of the OCPA. Requests for such authorization, together with supporting justification should be addressed to HQDA (SAPA-PP), WASH DC 20310-1509.

*i.* Notes, abstracts, or outlines of manuscripts or speeches will not be cleared as a substitute for a complete text. However, abstracts to be published in advance require clearance. If an abstract is cleared in advance, that fact will be noted on the transmittal document accompanying the full text of the article or speech when submitted for clearance by HQDA and OSD.

#### 4-4. Procedures

*a.* Writings and speeches subject to review that do not require OSD or HQDA clearance will be submitted to PAOs at proper command levels under local directives. Field reviews will conform to the policies in this chapter and other guidance in this regulation.

*b.* Materials that require OSD or HQDA clearance will be submitted to HQDA (SAPA-OSR), WASH DC 20310-1506, using the procedures listed below.

(1) A speech, article, or paper being submitted for review will be initialed by the author at the place of origin to indicate approval of the text. The initialed copy will be retained by the clearance office.

(2) The full and final text of material requiring review, including any supplemental audiovisual material, will be submitted.

(3) Articles and manuscripts will be submitted in three copies at least 30 days in advance of the desired clearance date.

(4) Speeches will be submitted in five copies at least 10 working days in advance of the proposed delivery. In the case of official speeches prepared for delivery by key officials, the individual to deliver the speech will initial the first page of one copy to indicate the speaker's approval of the text.

(5) All submissions will be reviewed promptly for conformance with policy, security (to include OPSEC considerations), accuracy, and propriety. Material reviewed will be returned promptly with comments, as appropriate. Constructive suggestions made to authors as the result of the review process, which are advisory in nature, will be identified as "recommended changes." Comments identified with "as amended" annotations are mandatory and binding on the author or speaker. The final responsibility for accuracy, style, and good taste rests with the author.

(6) Denial of clearance or directed mandatory changes of any material submitted for review may be appealed through channels of original submission to HQDA (SAPA-OSR), WASH DC 20310-1506.

(7) When materials for clearance are forwarded from a field command to HQDA for review, the writer will be so informed by that command. When the review is completed, the writer will be informed of the final clearance decision through the same channel.

*c.* Manuscripts lacking proper clearance which are submitted by authors to official Army publications will be sent by the editor to the proper clearance authority indicated in this chapter. Cleared manuscripts will be returned to the editor of the forwarding publication or directly to the author if requested. Clearance authorities will not provide placement service to authors to publish material in either official or unofficial media.

*d.* Material originating in Army components of the unified commands will be submitted for clearance through the PA channels designated by that command. If the material is of national interest, the writer will send an information copy to HQDA (SAPA-OSR), WASH DC 20310-1506.

#### 4-5. Copyrights

A writing prepared by an Army member or civilian employee as part of that person's official duties is not entitled to copyright protection. This official work is in the public domain. It may be copied or distributed by anyone, subject to clearance requirements, safeguarded information requirements, or other prohibitions on the release of information in this regulation. If the potential publisher asks the author for an assignment of the copyright in an official writing, the author should inform the publisher that no copyright is available for the writing but that the publisher may publish the material as uncopyrightable. It may be appropriate to call the publisher's attention to 17 USC 403. This law provides that any copyright notice, which the publisher affixes to a publication containing one or more official Government works, must show what is copyrighted and what are official works.

### Chapter 5 Use of Military Transportation

#### 5-1. General guidance

Military transportation assets will not be used to compete with commercial carriers of United States registry (to include sea, air, or land transportation) when the public affairs objectives of the proposed travel can be accomplished through the use of commercial carriers.

a. News media representatives may be authorized travel or transportation in connection with an assignment to cover Army programs or operations when the travel is an integral part of a story and is provided on a space-available basis.

b. Local travel for local news media representatives (see glossary) may be approved by the commander in whose area the travel occurs under paragraph 5-1.

c. Nonlocal travel by all news media representatives must be approved by the ASD(PA).

d. All local travel or transportation provided for national media representatives (see glossary) will be brought to the attention of HQDA (SAPA-MR).

e. Travel or transportation for public affairs purposes must be primarily in the interest of the DA or the DOD.

f. No commitment of military transportation for public affairs purposes will be made until the request has been coordinated and approved.

g. Orders covering transportation will be issued by the command with primary interest.

h. Travel or transportation in connection with a public affairs program arranged with or at the request of another Federal department or agency or a foreign government, on a reimbursable or nonreimbursable basis, will be authorized only by the ASD (PA). Requests for such travel or transportation will be submitted through channels.

i. Travel of news media representatives by military transportation to cover annual or weekend field training conducted by U.S. Army Reserve units at other than home stations is nonlocal travel. As such, prior approval of OASD(PA) is required in accord with paragraph 5-5.

j. State adjutants general may grant approval for public affairs travel within their respective States. However, local travel to facilities outside their States must be approved by the National Guard Bureau (NGB-PA). Media travel involving ARNG units, other than discussed in this paragraph, is nonlocal travel and requires prior approval of OASD (PA) in accord with paragraph 5-5.

k. For travel by non-DOD personnel for community relations purposes, see AR 360-61, chapter 13.

l. Normally, news media travel by military transportation will be on a space-available, nonreimbursable basis. If circumstances dictate that it should be reimbursable, the requesting command will be

advised by OCPA and given procedures for collecting reimbursement.

#### 5-2. Injury and death liability releases

The OASD(PA) has determined that it is in the best interest of the military services to obtain liability releases from news media representatives and civic leaders prior to their travel on military transportation. Figure 5-1 contains a sample liability release which should be adapted for local use.

#### 5-3. Local travel approval policies

Within the scope of his or her mission and responsibilities, each commander may grant approval for local travel or transportation for public affairs purposes if—

a. The public affairs subject matter is not properly the responsibility of a higher command. A local commander cannot approve travel or transportation in connection with a public affairs activity if the subject matter of the news story is a higher command responsibility.

b. The public affairs impact of the media coverage will be confined primarily to the vicinity of that command.

c. Transportation is provided for local news media representatives who are a part of an approved local public affairs program.

#### 5-4. Nonlocal travel approval policies

Nonlocal travel will be approved when—

a. Travel by military transportation is an integral part of the story or stories being covered by the news media representatives (for example, evacuations, maneuvers, or the movement of troops). In such cases, the transportation will be limited to the extent and duration of the assignment requiring travel. The transportation will not be used solely for point-to-point movement.

b. The proposed news coverage is of a major emergency nature and the coverage will be impaired or delayed to the serious detriment of the Army if military transportation is not provided. A request based on this paragraph will be submitted by the fastest means, including telephone, directly to OCPA. Intervening headquarters will be notified subsequently.

c. The travel is a matter of special interest to the Army or the command involved and is a part of an approved public affairs project.

#### 5-5. Approval procedures for nonlocal travel requests

a. The OCPA coordinates with the OASD (PA) to obtain approval of Army requests for nonlocal public affairs travel. (See para 5-1.) Requests for nonlocal travel will be forwarded with justification through channels to HQDA (SAPA-MR), WASH DC 20310-1507.

b. Requests for nonlocal travel by news media representatives must be submitted to OCPA as far in advance as possible. Such requests must contain—

(1) Specific dates of travel and destinations.

(2) The name of the officer directly responsible for the project.

(3) Justification of the travel itself as necessary to the story.

(4) Justification of the individual or individuals for whom the travel is requested.

(5) Confirmation that the travel will not interfere with the transporting unit's basic mission.

c. The responsible officer will—

(1) Be familiar with all regulations and directives on such travel.

(2) Ensure that the military and civilian news media representatives are properly briefed on the purpose of the travel and on appropriate security matters.

(3) Ensure that news media representatives are briefed on passport, visa, immunization, and other requirements.

(4) Ensure that news media representatives have proper equipment, if required.

(5) Be responsible for any other matters related to the mission.

(6) Submit through channels to HQDA (SAPA-MR), for forwarding to OASD (PA), copies of newspaper clippings and/or summaries of radio and television coverage resulting from the travel. Such



information will be forwarded to reach OCPA within 30 days following the event covered.

#### 5-6. Escort officer

The Department of the Army does not require or encourage use of PA personnel as escort officers for nonlocal travel of news media representatives. Requests for exception to this policy will be submitted with justification through channels to HQDA (SAPA-MR), WASH DC 20310-1507.

In consideration of receiving free transportation from the United States (*service branch*) by (*type of conveyance*) from (*origin*) to (*destination*), including such other transportation by this and other means that may be reasonably required, commencing on or about (*date*), I hereby release the United States Government, including its subdivisions, officers, military personnel, employees, and agents from all liability for any injuries or death that may result to me from this transportation, whether caused by negligence or otherwise.

I understand that in transporting me, the United States Government is not acting as a common carrier for hire and does not bear the liabilities attaching to that status.

I acknowledge that I voluntarily accept such transportation and that I am under no compulsion to do so.

I understand that by accepting such transportation, I incur no obligation towards the United States Government except as imposed by this release.

I agree that this release not only binds myself, but also my family, heirs, assigns, administrators, and executors.

(Signature)

(Date)

(Witness)

(Witness)

Figure 5-1. Sample liability release

## Chapter 6

### Participation of Members of the Individual Ready Reserve and Selected Reserve in Army Public Affairs Programs

#### 6-1. Objectives

The use of qualified members of the Individual Ready Reserve (IRR) to support Army public affairs activities and programs will—

- a. Provide a training program to develop and maintain public affairs skills of IRR members.
- b. Better use the skills of qualified IRR public affairs personnel.
- c. Broaden the scope of Army public affairs coverage.

#### 6-2. Approval authority

a. *Individual Mobilization Augmentees (IMAs)*. Under AR 140-145, proponent agencies may assign and evaluate projects and award retirement point credit to IMAs.

b. *Other members of the IRR and Selected Reserve*. Authority to approve public affairs projects as training assignments rests with the Commander, U.S. Army Reserve Personnel Center (ARPERCEN). Training assignments may be made only at the request or consent of the members concerned.

#### 6-3. Types of projects

To accomplish objectives in paragraph 6-1, USAR personnel may be assigned approved projects that support established public affairs activities and programs. Examples of these are as follows:

- a. Helping arrange Army participation in local civic ceremonies and festivities.
- b. Helping local civic organizations secure military speakers.
- c. Helping military speakers who deliver addresses in the reservist's community.
- d. Advising and helping local military personnel in public information and community relations activities, informational media relations (press, radio, television), and other activities to promote understanding of the Army's function.
- e. Helping USAR unit commanders orient USAR personnel on Army public affairs matters.
- f. Making speeches to local civic organizations to tell the public

of the Army's roles and missions, scientific achievements, capabilities and limitations, and other proper matters. Speeches will be approved in advance under chapter 4.

g. Preparing plans to support specific local Army public affairs objectives.

h. Providing public affairs support to local USAR units.

i. Helping plan and conduct local Armed Forces Day activities.

j. Disseminating approved public affairs material including films, literature, and brochures.

#### 6-4. Retirement points

Awarding retirement points is subject to the provisions of AR 140-1 and is administered under AR 140-185.

## Chapter 7

### Hometown News Release Program

#### 7-1. General

a. The Hometown News Release Program is a commander's program administered by public affairs officers. Hometown news releases include written stories, still photographs, videotape recordings, and audiotape recordings. These stress accomplishments and activities of individual Army personnel. An effective hometown news release program should use a combination of all media.

b. Guidance for selection and preparation of Army hometown news release materials is in DA Pam 360-3.

#### 7-2. Responsibility

Heads of Army Staff agencies and all commanders are responsible for conducting programs to give proper public news coverage of individual achievements and activities of members of their agencies or commands.

#### 7-3. Army and Air Force Hometown News Service

The service—

a. Functions as the central editing and placement agency for the Army-wide Hometown News Release Program.

b. Evaluates and edits hometown news release forms and still photographs submitted from PA offices (para 7-4c). Photographic

feature stories, videotaped stories for television, and audiotaped stories for radio are gathered in the field by Hometown News Service Teams.

*c.* Prepares and forwards hometown news releases to the proper news outlets in an individual's home community. Releases will be forwarded only to those news outlets that have requested this service.

*d.* Canvasses public news media within the United States and its territories to decide if they desire Army Hometown News Release Service. The canvasses are made on a continuing basis.

*e.* Maintains a current mailing list of news media desiring Army Hometown News Release Service. The list identifies the type of material desired.

*f.* Provides guidance material on the Hometown News Release Program to field public affairs officers.

*g.* Provides liaison with field PAOs to help them prepare hometown news release material effectively.

*h.* Maintains photographic feature and television and radio news teams to cover hometown feature stories worldwide.

#### **7-4. Submission of hometown news materials**

*a.* Army agencies and commands are authorized to submit hometown news materials, under guidance in DA Pamphlet 360-3, directly to the U.S. Army Element of the Army and Air Force Hometown News Service, Kelly Air Force Base, TX 78241-5000.

*b.* While submission of newsworthy hometown release material is encouraged, units will avoid programs based on meeting periodic numerical quotas or competition between units for the greatest number of submissions.

*c.* DD Form 2266 (Information for Hometown News Release) will be used for preparation of hometown releases. (A sample completed DD Form 2266 is at fig 7-1.) One form signed by the subject is required for each release. The form may be obtained through normal distribution channels.

*d.* Advance coordination with the U.S. Army Element of the Army and Air Force Hometown News Service is encouraged when a large number of completed forms are to be forwarded on one event.

For Hometown News Directorate Use Only			RELEASING PUBLIC AFFAIRS OFFICE 14th Armored Division Public Affairs Office Fort Harmony, Texas 77777		PAO CODE 325	
<b>INFORMATION FOR HOMETOWN NEWS RELEASE</b> (See Privacy Act Statement and Instructions on Reverse)						
<b>PRINT OR TYPE—SEND ORIGINAL ONLY</b>						
1. RANK	2. PAY GRADE	3. FIRST NAME, MIDDLE INITIAL, LAST NAME		4. SOCIAL SECURITY NUMBER	5. SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	
SGT	E-5	John J. Smith		001-00-0001		
6. BRANCH OF SERVICE		7. STATUS	8. EVENT (Example: Promoted to Sergeant; Received Commendation Medal)			
<input checked="" type="checkbox"/> ARMY <input type="checkbox"/> AIR FORCE <input type="checkbox"/> OTHER		a. <input checked="" type="checkbox"/> ACTIVE b. <input type="checkbox"/> RESERVE <input type="checkbox"/> NATL GD	9. DATE OF EVENT (Yr-Mo-Day) 1986 May 14      Arrival to Ft. Harmony, Texas			
Your Living Parents/Guardians or Other Relatives—Include Branch of Service and Rank, if Military						
10. FIRST NAME, MI, LAST NAME		RELATIONSHIP TO YOU	ADDRESS (Number and Street)		ZIP CODE	
Martin A. Smith		father	5280 Mile High Street		88888	
			CITY	STATE		
			Snowcap	Colorado		
11. FIRST NAME, MI, LAST NAME		RELATIONSHIP TO YOU	ADDRESS (Number and Street)		ZIP CODE	
Linda C. Smith		mother	9536 Pirates Cove Drive		3333	
			CITY	STATE		
			Palm Tree	Florida		
12. WIFE'S/HUSBAND'S NAME (First, MI, Last) (Include Service and Rank if Military)		NAME OF WIFE'S/HUSBAND'S LIVING FATHER (First, MI, Last Name)			ZIP CODE	
Julie K. Smith		Elmer J. Farmer			44444	
		ADDRESS (Number, Street)		CITY	STATE	
		1402 Corncob Drive		Grassroots	Indiana	
BRANCH OF SERVICE (if Military)		NAME OF WIFE'S/HUSBAND'S LIVING MOTHER (First, MI, Last Name)			ZIP CODE	
		Gertrude L. Farmer			44444	
RANK (if Military)		ADDRESS (Number, Street)		CITY	STATE	
		1402 Corncob Drive		Grassroots	Indiana	
13. YOUR PRESENT UNIT OF ASSIGNMENT		POST OR BASE (Not APO)	CITY	STATE OR COUNTRY	DATE ASSIGNED (Yr-Mo-Day)	
1st Battalion, 96th Armor		Fort Harmony		Texas		
14. DUTY MOS OR AFSC		PRESENT JOB TITLE (Full Title Do Not Abbreviate)			15. TOTAL YEARS ACTIVE DUTY	
63B		Wheeled vehicle mechanic			3	
16. LAST UNIT OF ASSIGNMENT		POST OR BASE (Not APO)	CITY	STATE OR COUNTRY		
33rd Engineer Battalion		Camp Valley		S. Korea		
17. HIGH SCHOOL ATTENDED		CITY	STATE	ZIP CODE (If Known)	YEAR GRADUATED	
Rocky Mountain High School		Snowcap	Colorado	88888	1995	
18. COLLEGES/UNIVERSITIES ATTENDED (Complete Name)		CITY	STATE	ZIP CODE (If Known)	DEGREE	YR. GRAD
Big Sky University		Big Rock	Colorado	88887		
19. REMARKS						
20. YOUR SIGNATURE				DATE	DUTY PHONE	
				14 May 1999	945-6502	
21. VERIFICATION (if signature over 30 days old, see reverse side)				DATE	DUTY PHONE	

DD FORM 2266  
51 SEP

REPLACES DA FORM 1526, JUL 72, AND DA FORM 1526-R,  
PRIVACY ACT STATEMENT, WHICH ARE OBSOLETE.

Figure 7-1. Sample completed DD Form 2266

### INSTRUCTIONS

1. Rank, such as SrA, Sp4, Sgt, Cpt, SSgt, 1Lt, etc.
2. Pay Grade, such as, E-4, E-9, O-4, O-3.
- 3., 4., 5., and 6., Self explanatory.
- 7a. Persons on extended active duty
- 7b. Persons on active duty for training or a member of a Reserve or National Guard unit.
8. Short statement on reason for news release, such as, "Graduated from basic training".
9. Date of Event. The date the event actually happened, such as, date commendation medal was presented.
- 10., 11., 12., 13., 14., and 15., Self explanatory.
16. Last unit of assignment - unit you were assigned to when you received orders for your present assignment.
- 17., and 18., Self explanatory.
19. Remarks - Continue explanation of event here if necessary. Attach copies of award citation, base newspaper article, etc., which will help explain the event.
20. Self explanatory.
21. For PAOs Only: If the PAO believes the signature on the release form will be over 30 days old by the time it reaches the Hometown News Directorate, then the personal information on the form must be reverified. (NOTE: This re-verification does not eliminate the 30 day requirement on the event.) The PAO may contact the individual, determine that the information is current, then the PAO may sign in Block 20; or, the individual may personally check the form and sign in Block 20. Do not change date on the original signature. (Forms received at the Directorate with a signature over 30 days old cannot be used unless this reverification has been done.)

### REMARKS

### PRIVACY ACT STATEMENT

**AUTHORITY:** 5 U.S.C. 301, 10 U.S.C. 8012 and 8034, and EO 9397.

**PRINCIPAL PURPOSE:** To prepare news stories and news releases for distribution and publication by civilian news media to recognize the achievements of Army and Air Force members. SSAN is used for positive identification.

**ROUTINE USE:** Information may be disclosed to civilian news media representatives. Once published, information is considered "Public Domain."

**DISCLOSURE IS VOLUNTARY:** Failure to provide the information may mean little or no public news release material can be produced, thus denying the individual public recognition for personal achievements.

Figure 7-1. Sample completed DD Form 2266—Continued

## Chapter 8 Observance of the Army Birthday

### 8-1. General

*a.* This chapter concerns the observance of the Army birthday. It applies to all Army elements and activities.

*b.* The Army birthday will not be observed in the civilian domain without the authorization of the Secretary of Defense. Requests for exceptions to policy will be submitted through normal channels to HQDA (SAPA-PP), WASH DC 20310-1509.

*c.* Guidance on public events (for example, Armed Forces Day) is contained in AR 360-61.

### 8-2. Anniversary date

June 14 is observed as the anniversary of the founding of the U.S. Army as the Continental Army.

### 8-3. Concept of observance

*a.* It is proper for the Army to recognize its own anniversary and to acknowledge its heritage. Commanders at all levels are encouraged to remind their personnel of the proud traditions they have inherited. The reading of the Resolution of the Continental Congress at troop formations (fig 8-1) is inherent in the Army's birthday observance.

*b.* Open houses, special unit anniversary programs, coverage in Army publications, and other internal activities may be scheduled.

*c.* Army troops, bands, aircraft, exhibits, and displays may be used in on-post events.

*d.* Retired Army personnel, members of the Reserve Components, and civilians from nearby communities may be invited to attend on-post observances.

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"Resolved that six companies of expert riflemen be immediately raised in Pennsylvania, two in Maryland, and two in Virginia; that each Company consist of a captain, three lieutenants, four sergeants, four corporals, a drummer or trumpeter, and sixty-eight privates."

"That each Company, as soon as completed, shall march and join the Army near Boston, to be there employed as light infantry under the command of the Chief officer in that Army."

"That the pay of the officers and privates be as follows vis, a captain @ 20 dollars per month; a lieutenant @ 13½ dollars; a sergeant @ 8 dollars; a corporal @ 7½ dollars; a drummer or (trumpeter) @ 7½ dollars; privates @ 6 2/3 dollars; to find their own arms and clothes."

"That the form of the enlistment be in the following words:"

"I, \_\_\_\_\_, have this day, voluntarily enlisted myself as a soldier in the American Continental Army, for one year, unless sooner discharged; And I do bind myself to conform in all instances to such rules and regulations as are, or shall be, established for the government of said Army."

"Upon motion, Resolved, that Mr. (George) Washington, Mr. (Philip) Schuyler, Mr. (Silas) Deane, Mr. (Thomas) Cushing, and Mr. (Joseph) Howes be a committee to bring in a draft of Rules and Regulations for the government of the Army."

Figure 8-1. Resolution of the Continental Congress—14 June 1775

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## Chapter 9 Release of Information by Manufacturers, Research Organizations, Educational Institutions, and Other Commercial Entities Holding Army Contracts

### 9-1. General

This chapter covers the Army's review and clearance of materials proposed for release to the public by contractors, manufacturers, scientific researchers, and other entities regarding contractual agreements and awards, products, services, military sales, technology, scientific studies, and other areas of production and research.

### 9-2. Policy

*a.* Army policy is to make available to the public the maximum accurate information on Army contractual relationships, industry accomplishments, and scientific achievements. Exceptions to this policy include—

(1) Safeguarded information, as well as data that offers unfair and competitive advantages to specific entities and individuals. (See subpart 5.4 of the Federal Acquisition Regulation (FAR), Defense FAR Supplement, and Army FAR Supplement.)

(2) Nonexportable commercial information or data and information subject to international traffic in arms control. (See AR 340-17, para 3-200.)

(3) Information about material in the Militarily Critical Technology List. This list is available in military contracting and research and development offices.

*b.* OSD clearance is required for proposed releases or presentations when the subject matter falls under paragraph 3-1*a* or when

the purpose of the material is advertising, marketing, or sales promotion. See paragraph 3-37*b* regarding Army support to advertising and paragraph 9-4 regarding submission requirements.

*c.* Proposed releases of information in response to requests for Army research reports and other records initiated by any person under the Freedom of Information Act will be governed by AR 340-17.

*d.* Public release clearance at the lowest level of cognizance and responsibility is authorized and encouraged. When higher headquarters release is required, or when a question exists on release authority, PAOs will send the proposed release material and a recommendation to OCPA. The recommendation will include field review results, such as security, accuracy, the proposed date and place of presentation, and publication media. OCPA will coordinate clearance within HQDA and with OSD.

*e.* Review at any level will ensure the detection of—

(1) Classified information.

(2) Errors in fact.

(3) Implied DA endorsement of a commercial firm, product, or service.

(4) Comparison of the merits of one item of military material with another.

(5) The presence of official DOD specification details or results of acceptance tests.

(6) Information involving critical military technology.

*f.* Materials developed by contractors, or contractor requests for assistance in developing materials for advertising, sales, or promotional purposes requires OCPA and OASD (PA) approval. (See para 3-37*b*.)

### 9-3. Procedures for review and clearance of material

#### a. Contractor submissions.

(1) In prescribing procedures for submission, review, and clearance of industry-originated information materials, DA defers to Army/industry interface guidance in the FAR and the Army/industry relationship shown by the contract terms when a contract exists. These requirements also apply to educational institutions receiving information from any Army element on preaward negotiations, contract awards, letter contracts, modifications, or grants to carry out military research and development projects.

(2) DA agencies and contractors will not release procurement information on research and development projects done under Army contract without prior approval and clearance from the Deputy Chief of Staff for Research, Development, and Acquisition.

(3) DA agencies or educational institutions will not release procurement information on research and development projects done under Army contract without prior approval or clearance.

(4) A classified contract is one which requires access to classified information (Confidential, Secret, Top Secret) either to submit a bid or proposal or to perform the contract. A contract may be classified even though the contract document is not classified. When a classified contract exists, the contractor is guided by security items in the contract and by the terms of the security agreement. Security criteria are shown on DD Form 254 (DOD Contract Security Classification Specification). DOD 5220.22-R, DOD 5220.22-M, and AR 380-49 contain procedures to safeguard classified defense information and procedures for the proposed release of information which contractors, subcontractors, vendors, or suppliers will have access to or possess.

(5) When unclassified contracts do not give specific instructions on the release of information, contractors are encouraged to submit informational materials prior to publication to a public affairs office designated by the administrative contracting officer. If the submission is made to any other office, it will be referred immediately to the proper administrative contracting officer for action. Voluntary submission is simple business courtesy and affords safeguards against accidental release of inaccurate or classified information.

(6) Except for information materials developed under contract requirements, PAOs act in an advisory role in reviewing material voluntarily submitted. The final decision on matters of accuracy, style, and good taste remains with the originator.

#### b. Scientific and technical information.

(1) Public affairs officers do not have the authority to clear scientific and technical information for public release (para 4-2d). However, PAOs will assist the proponent of unclassified scientific and technical materials in determining at what level clearance can be granted. This material includes the results of research, development, test, and evaluation prepared for presentation or publication under AR 70-45, paragraphs 5 and 6, within or outside CONUS. An exception is material that must be cleared through HQDA or OSD under this regulation and applicable industrial security directives.

(2) Scientific and technical information will not be released if it discloses classified or unclassified military applications, if the disclosure will—

(a) Be adverse to the national interest.

(b) Contain subject matter requiring OSD review prior to release (para 3-1a).

(c) Generate national public interest. Such information will be announced at the Seat of Government.

(3) Release of certain information may also be governed by export and International Traffic in Arms Regulation restrictions. See DODD 5230.24 and DODD 5230.25 for guidance in making this determination. OSD approval is required for such a release.

(4) Information materials prepared under joint Army/industry authorship will be processed for review and clearance in the same manner as materials of Army authorship.

(5) Scientific and technical information for public release will be prepared under AR 70-31. This material will be forwarded for

clearance to the proper headquarters or administrative contracting officer.

### 9-4. Submission requirements

The following requirements apply when material covered in this chapter is submitted for clearance:

a. Written materials and still photographs—five copies. Photographs must be properly captioned. One additional copy of all material will be included for the record file of each intervening headquarters.

b. Scientific and technical papers and presentations—five copies. Each copy will include appropriate copies of all viewgraphs, photographs, charts, graphs, and similar material, properly captioned.

c. Fact sheets, pamphlets, and brochures—five copies. Each copy will include full text, layout, and all illustrative material.

d. Contractor advertisements—five copies. Each copy will include text and layout, including artwork and photographs, proposed for final publication. (See para 3-37b for policy concerning advertising and promotion.)

e. Exhibits—five copies. Design/layout with text of copy to appear on display material and all artwork and photographs proposed for exhibition.

f. For motion picture or videotape production, the following review procedures are required:

(1) Preliminary written story/concept/outline treatment—five copies. Add one copy for each intervening headquarters for record file.

(2) Final shooting script, including scene description/narration—five copies. Add one copy for each intervening headquarters for record file.

(3) One copy rough cut (film or videotape) minus sound track.

(4) One print (film or videotape) or one copy final narration for final review.

## Chapter 10 Biological, Chemical, and Nuclear Accidents and Incidents

### 10-1. Policies and procedures

a. Biological, chemical, and nuclear accidents and incidents. Although prompt action is essential in coping with any accident or incident, biological, chemical, and nuclear accidents and incidents magnify this importance. The public is entitled to all unclassified information concerning an accident if such release is not prohibited by this or other directives or instructions. Furnishing such information to the public in a positive manner is in the national interest and is a function of command. In order to meet this responsibility, PAOs must know the details of AR 50-5, AR 50-6, and other AR 50-series regulations and AR 380-86 that govern the chemical and nuclear surety programs, as well as the requirements of this regulation.

(1) *Nuclear.* DA policy is that, normally, the presence of either nuclear weapons or nuclear components will be neither confirmed nor denied. However, in the event of a serious accident involving a nuclear weapon, official confirmation of the presence of such weapons may be made when it will have public safety value or will reduce or prevent widespread public alarm. In this case, the confirmation or denial of the presence of nuclear weapons or radioactive nuclear weapons components may be made by the on-scene commander (OSC). The Deputy Director of Operations (DDO), National Military Command Center (NMCC), also may invoke this exception to policy before the OSC arrives, based on available information and in coordination with the Chief, or designee, of the responsible military service. OASD(PA) will be notified in advance if practicable, or as soon as possible thereafter, if this exception to policy is initiated. This will enable OASD(PA) to continue initial public affairs responsibilities and to ensure the release of timely, accurate information at the national level.

(2) *Chemical.* When a serious accident involves chemical weapons or agents, information will be provided to the public and news

media in a timely and accurate manner consistent with requirements, unless its release is precluded by valid security concerns.

(3) *Biological.* When a serious accident involves biological weapons or agents, information will be provided to the public and news media in a timely and accurate manner consistent with requirements, unless its release is precluded by valid security concerns. Releasing officials for CONUS are specified in paragraph 10-4; OCONUS release is described in paragraph 10-5.

*b. Nuclear reactors or facilities.*

(1) The responsible official will release information about the facility and nuclear materials either voluntarily or in response to news media inquiry. This will be only to the extent he or she deems necessary to—

(a) Ensure public safety.

(b) Prevent or reduce widespread public alarm.

(c) Ensure public understanding of the extent and nature of the public hazard resulting from the accident and of the safety precautions being taken.

(2) Release of information about the reactor or nuclear materials which is beyond the scope of the above guidance must be approved in advance by OCPA. Direct communication with HQDA (SAPA-MR) at AV 227-7589 or commercial (202) 697-7589 is authorized.

(3) It is Army policy not to comment on facilities, nuclear materials, or matters involving agencies outside DA.

## **10-2. Public affairs planning for biological, chemical, and nuclear accidents and incidents**

*a.* Comprehensive public affairs planning, to include adequate personnel and administrative, communications, and logistical support aspects, must take place well ahead of a scheduled exercise, operation, or anticipated contingency.

*b.* An incident does not involve the same degree of urgency as does an accident; however, it may impose a responsibility to inform the public. This determination will depend upon the type and scope of the occurrence as well as the extent of public knowledge about the presence of biological, chemical, or nuclear weapons, components, materials, reactors, or facilities at the incident site. (See para 10-1a(1).)

*c.* Public affairs plans for dealing with biological, chemical, and nuclear accidents and incidents will be prepared by—

(1) All MACOMs for implementation by commanders of installations subordinate to the MACOM should an accident or incident occur on the installation.

(2) MACOM and subordinate commanders responsible for storage, handling, or transportation of chemical, biological, and nuclear weapons or materials. Subordinate commanders' public affairs plans will be reviewed and approved by the MACOM PAO.

*d.* Plans prepared by Army components of overseas unified or specified commands will conform to the regulations and directives of the proper unified or specified commands.

*e.* Plans prepared by Army components of specified and unified commands within CONUS will conform to this regulation unless the provisions conflict with regulations or directives of applicable unified or specified commands. All such conflicts will be reported to HQDA (SAPA-PP), WASH DC 20310-1509.

*f.* Plans prepared by tenant activities will be coordinated with plans of host installations to ensure public affairs procedural agreement.

*g.* Commanders with Chemical Accident and Incident Response and Assistance (CAIRA) or Nuclear Accident and Incident Response and Assistance (NAIRA) responsibility and those responsible for storage or transportation of chemical or nuclear weapons or materials will ensure that PA plans are reviewed at least once each year and updated, if required.

*h.* Commanders at all levels will ensure that appropriate personnel are briefed every 6 months on the provisions of this regulation and implementing instructions that apply to the particular command. Military police, intelligence, operations, and public affairs personnel should be included in these briefings.

*i.* Commanders of Army installations in CONUS, Alaska, and Hawaii will advise local civil law enforcement agencies in advance that DA may call upon them for assistance and cooperation if a military accident occurs outside the military installation. These officials and the news media will be informed that unauthorized photographing or publishing and refusal to surrender classified defense information are criminal offenses (18 USC 793(e), 795, 797). (See also paras 2-4 and 3-6.)

*j.* If such mishap occurs in a foreign country and the public interest requires disclosure of the presence of a chemical, biological, or nuclear weapon or material, the announcement will be made with the concurrence of the Chief of the U.S. Diplomatic Mission concerned, if time permits. Plans for such coordination will be worked out in advance.

*k.* As a minimum, the public affairs plan will include the following:

(1) Designation of responsible officials; that is, officials authorized to release information on accidents or incidents. These officials will be one of the following:

(a) The responsible commander as designated by DOD, or the OSC, or the courier appointed by the military department having physical possession of the weapon or materiel.

(b) The commander of the military installation or facility nearest the accident scene if the responsible commander is not immediately available or is not physically capable of issuing such information.

(c) An experienced PAO who, acting on behalf of the OSC, is dispatched to the accident scene to handle public affairs matters.

(2) Procedures governing release of information, taking pictures, and dealing with news media representatives at the scene of the accident.

(3) Procedures to be followed by potential OSCs under the DOD Component's command in the United States, its territories, and possessions. These public affairs procedures will be in the form of a checklist. A model checklist for CONUS accidents involving radioactive materials is at figure 10-1.

(4) Procedures to notify military personnel, civilian employees, and military dependents at an Army installation that becomes the scene of a chemical, biological, or nuclear accident or incident.

(5) Conditions and procedures for an experienced PAO to assume public affairs responsibilities upon arrival at an accident scene.

(6) Procedures for the OSC or designee at a chemical, biological, nuclear, or radioactive nuclear weapon component accident or significant incident site in the United States, its territories, or possessions, to establish direct communication with the OASD(PA) (telephone (202) 697-5131, AUTOVON 227-5131) by any means available if an accident or incident affecting the public requires implementation of public safety measures. Direct communication between OASD(PA) and the OSC, or designee, ensures appropriate coordination of public affairs policy matters for DOD and provides timely, accurate information for public release at the national level until the military service responsible for the weapon is delegated public affairs responsibility by the ASD(PA).

(7) Procedures, once the ASD(PA) has delegated public affairs responsibility for an accident or incident to DA, to establish direct communications with OCPA (telephone: (202) 697-7589, AUTOVON 227-7589) or AOC by the most direct means available to ensure that appropriate coordination on public affairs matters continues.

(8) Provisions for informing key local leaders, civilians, and State officials of radiation and other hazards that may or may not exist. For nuclear weapons or radioactive nuclear weapon component accidents and significant incidents, this may be accomplished with a Community Emergency Action Team (CEAT) comprising public affairs, medical, legal, security, communication, administrative, logistics, or appropriate personnel from DOD and civil resources. As these resources become available, they will function under the direction of the OSC. The CEAT will be physically located in the Joint Information Bureau (JIB) to facilitate coordination. Activities of the CEAT will be coordinated through the senior Federal Emergency Management Agency (FEMA) official with similar activities of other agencies to ensure a unified approach in

working with the community. In overseas areas, the OSC may constitute a CEAT that will coordinate through the appropriate unified commander, or designee, Chief of U.S. Mission, Department of State, and host nation authorities. For military nuclear reactor or radiological accidents, State and local officials can be informed through FEMA in the United States, its territories, and possessions; or through the unified commander, or designee, and Chief of U.S. Mission, Department of State, in overseas areas with host government authorities who have this responsibility.

1. Public announcements and the conditions for their use by the OSC or designee during nuclear accidents or incidents are discussed below. Adaptation of these releases to suit particular local contingencies requires prior approval from HQDA (SAPA-PP). These announcements will be used under the following conditions:

(1) Contingency Release 1—No Danger to the Public. (See fig 10-2.) Used when there is no danger to the public from contamination or blast, but it is necessary to confirm officially the presence of nuclear weapons or components at the scene of an accident to reduce public alarm.

(2) Contingency Release 2—Public Possibly in Danger (notification to local and State officials). (See fig 10-3.) Used to notify local and State officials that hazardous cargo has been involved in an accident, the possibility for contamination exists because of fire or explosion, and details are unknown. This release neither confirms nor denies the presence of nuclear weapons or materials. This release is not intended for release to the general public.

(3) Contingency Release 3—Public Possibly in Danger (general public). (See fig 10-4.) Used when public safety considerations require a public release that hazardous cargo was involved in an accident, the possibility exists for contamination because of fire or explosion, and details are unknown. This release neither confirms nor denies the presence of nuclear weapons or components. Information released to the public must not go beyond that contained in the sample.

(4) Contingency Release 4—Public Probably in Danger. (See fig 10-5.) Used when the public is probably in danger and public safety considerations require announcement that a nuclear weapon has been involved in an accident and contamination is likely because of fire or conventional high explosive detonation of the weapon. This release confirms the presence of nuclear weapons or radioactive material. Information released must not go beyond that contained in the sample.

### 10-3. Nuclear weapon accidents and significant incidents

a. In the United States, its territories, and possessions, OASD(PA) will retain initial PA responsibility for nuclear weapons accidents and significant incidents. In overseas areas (with the exception of losses, thefts, or seizures), the unified commanders, in coordination with OASD(PA), and the appropriate Chief of U.S. Mission, Department of State, will have initial PA responsibility for nuclear weapons accidents and significant incidents.

b. The presence of nuclear weapons or radioactive nuclear weapon components at any specified location may neither be confirmed nor denied except as follows:

(1) In the interest of public safety in the United States, its territories, and its possessions, confirmation of the presence of nuclear weapons or radioactive nuclear weapon components may be made by any OSC. The DDO, NMCC, also may invoke this exception to policy before the OSC arrives, based on available information and in coordination with Chief or designee of the responsible military service. Public authorities will be notified in a timely, candid manner to enable them to take public safety action. Notification of public authorities confirming the presence of nuclear weapons or radioactive nuclear weapons components is required if the public is, or may be, in danger of radiation exposure or any other danger posed by the nuclear weapon or radioactive nuclear weapon components. Confirmation will be made promptly when actions in the interest of public safety must be taken, particularly when protective action or evacuation of civilians may be required. These actions may include releasing statements to the news media to expedite

public safety procedures. (See figs 10-2 through 10-5.) The OASD(PA) will be advised as soon as practicable when confirmation has been made directly by the OSC or DDO.

(2) To reduce or prevent widespread public alarm in the United States, its territories, and possessions, the OSC may issue an official statement of reassurance to the public that confirms or denies the presence of nuclear weapons or radioactive nuclear weapons components. Before the OSC arrives, the DDO may invoke this exception to policy with available information and coordination with the Chief or his designee of the responsible military service. An official confirmation should be accompanied by appropriate assurances such as a statement, if correct, that the chance of injury from high explosive detonation or of potential exposure to radiation is highly unlikely. The confirmation may state also that the use of explosive ordnance disposal (EOD) teams and the evacuation of DOD personnel is only a preventive measure to limit the number of personnel at the accident or incident scene. A denial should characterize the accident or incident as a nonnuclear event. The OASD(PA) will be notified in advance if practicable, or as soon as possible thereafter, if this exception to policy is initiated to enable the OASD(PA) to continue initial public affairs responsibilities and to ensure the release of timely, accurate information at the national level.

(3) In overseas areas outside the United States, its territories, and possessions, unified commanders or their designees, with concurrence of the host government through the appropriate Chief of U.S. Mission, Department of State, may confirm officially or deny the presence of nuclear weapons or radioactive nuclear weapon components at the scene of an accident or significant incident in the interest of public safety or to reduce public alarm. The OASD(PA) shall be advised in advance, if practicable, if exception to policy is necessary. Civil authorities of foreign governments will be informed through the Chief of appropriate U.S. Mission, Department of State, of an accident or significant incident involving nuclear weapons or radioactive nuclear weapon components in those countries where international agreements require this information. Should a nuclear mishap occur in a foreign country that requires public announcement either for public safety or to ease public alarm where public affairs coordination procedures have not been established, the unified commanders, or designee, will coordinate with the host government through the appropriate Chief of U.S. Mission, Department of State.

c. The DOD OSC or designee at a nuclear weapon or radioactive nuclear weapon component accident or significant incident site in the United States, its territories, and possessions will expedite direct communication with OASD(PA) by any means available if an accident or incident requires public safety measures. Direct communication between the OASD(PA), or the OCPA after public affairs responsibility has been delegated to that office, and the OSC or designee ensures appropriate coordination of PA policy matters and provides timely, accurate information for public release at the national level.

(1) If a nuclear weapons accident or significant incident happens, or appears likely to happen, outside a DOD or U.S. Department of Energy (DOE) facility's boundaries, a JIB will be established near the scene as a focal point for public release of information in a timely, accurate manner. The OSC, or designee, will establish the JIB in coordination with DOE, FEMA, State, and local authorities, as appropriate, without delay. If the senior FEMA official or designee arrives at the accident scene before the DOD OSC or designee, the senior FEMA official or designee may establish and supervise a JIB until the OSC or designee arrives. JIB capabilities will be expanded when additional personnel and resources arrive. The JIB will have dedicated administrative, communications, and logistical support for use by all participating agencies.

(2) The OSC shall assume primary leadership and direction of the JIB until such time as transition of JIB responsibility may occur, as described below. To provide a coordinated Federal response to the public, the OSC, or designee, will ensure that on-scene DOD public affairs activities, such as news releases, briefings, or interviews, are coordinated in advance with other agencies represented in



the JIB. Other agencies also are obligated to coordinate public affairs activities in advance with the OSC or designee.

(3) In CONUS, the ASD(PA) and the Director of Public Affairs for FEMA, by mutual agreement, may transfer JIB responsibility and authority from the OSC to the senior FEMA official at any time. However, when a Presidentially declared emergency or disaster exists, the appointed Federal coordinating officer (FCO) or designee will assume leadership and direction of the JIB. In all cases, the DOD, through the OSC, will retain authority on security classification matters. When JIB responsibility and authority are delegated to the senior FEMA official or FCO, all PA matters pertaining to the Federal technical response will be coordinated in advance with the OSC, or designee.

d. PA responsibility for DOD rests with OASD(PA) in cases where actions by terrorists or other dissident groups cause the loss, seizure, or theft of nuclear weapons, materials, or components; seizures of nuclear storage sites, or seizures of any site or location having a nuclear weapon system. Before any release is made, it will be approved by OASD(PA). However, this guidance does not apply in areas outside the United States, its territories, and possessions where governmental agreements exist for the release of this information. In such cases, these agreements will govern release.

e. Most information on nuclear weapons and their storage is classified as restricted data or formerly restricted data and is very sensitive. Examples include information on the design of nuclear weapons and components, disclosure of whether or not a weapon contains tritium, disclosure of tritium's physical state and chemical form, and data on the specific location of nuclear weapons. The OSC and other responsible persons at the scene shall follow the contingency releases (figs 10-2 through 10-5) to preclude compromise of classified information. If declassification of other information is needed, it will be referred to the DOD for consideration and coordination with DOE as required.

#### 10-4. Biological or chemical accidents or incidents

a. Biological or chemical accident or incident occurs off a military installation in CONUS.

(1) When an accident or incident occurs in CONUS outside a military installation, only the Army Operations Center (AOC), designated military person in charge, the OSC, and the EOD officer, through the on-scene PAO, or the technical escort officer may release information to properly identified news representatives.

(2) Public announcements tailored to meet local requirements and the conditions for their use will be incorporated in the plans outlined in paragraph 10-2c. Figures 10-6 through 10-9 contain sample announcements that can be used as guides in developing local announcements.

(3) If classified material is exposed that cannot be removed or covered immediately, the military authority at the scene will comply with the provisions of paragraph 3-6.

(4) The technical escort officer accompanying the shipment is responsible for making news releases and for notifying proper authorities. If the technical escort officer is a casualty and cannot perform these actions, the designated military person in charge, the OSC, or the PAO will make the proper releases and notifications. If this is not possible because of mass casualties at the scene, the consignee military shipping agency or proper official at the nearest military installation first receiving notice of the accident will make necessary releases and notifications.

(5) If accidental release of toxic agents in a populous area makes immediate warning and evacuation necessary, persons in (4) above will request assistance of newspapers, local radio and television stations, police, and civil disaster relief agencies.

b. Notification required by paragraph 10-6 will be completed by the persons listed in (4) above.

c. Accident or incident occurs on a military installation in CONUS.

(1) An accident or incident involving chemical or biological material that occurs on a military installation in CONUS or one in which the agent may have escaped the boundaries of the installation,

may require the release of certain information for health and safety reasons. If such an accident or incident occurs, the following will govern:

(a) The installation commander is responsible for making news releases through his/her PAO and for notifying the proper authorities.

(b) Public announcements tailored to meet local requirements and the conditions for their use will be incorporated in the plans outlined in paragraph 10-2c. Figures 10-6 through 10-9 contain sample announcements that can be used as guides in developing local announcements.

(c) The commander will complete the notification required by paragraph 10-6.

(2) If accidental release of toxic agents makes immediate warning and guidance on seeking shelter or evacuation of populated areas necessary, assistance will be requested of local news media, law enforcement agencies, and civil disaster relief agencies.

#### 10-5. Overseas commands

a. If a nuclear, biological, or chemical accident or incident occurs on or off a U.S. military installation overseas, the release of information will be governed by—

(1) Applicable treaties.

(2) Intergovernmental agreements.

(3) The laws of the host nation.

(4) Service-to-service technical arrangements.

(5) Army component and unified or specified command plans.

b. For Army accidents or incidents, the Army component may constitute a JIB that will coordinate through the appropriate unified or specified commander; the Chief, U.S. Mission, Department of State; and host nation authorities.

c. Upon receipt of this regulation, overseas commands will translate the announcements in figures 10-2 through 10-9 to the language of the host country. This will ensure quick response and public understanding if the announcements are used.

#### 10-6. Notification requirements

a. Persons making news releases on biological, chemical, or nuclear accidents or incidents will notify, by the fastest means available, the following:

(1) If in movement within CONUS off the installation, the Commander of the Movement Control Center (MCC). Commander, MCC, in turn will provide the release content, accident or incident circumstances, and actions taken to—

(a) OASD(PA), AUTOVON 227-5131, commercial (202) 697-5131.

(b) OCPA, AUTOVON 227-7589, commercial (202) 697-7589. (During off-duty hours, notify the OCPA duty officer through the AOC at AUTOVON 227-0218, commercial (202) 697-0218.)

(c) PAO, AMC, AUTOVON 284-8010 or 284-8012, commercial (202) 274-8010/12. (During off-duty hours, notify the AMC duty officer at AUTOVON 284-9223, commercial (202) 274-9223.)

(d) PAO, FORSCOM, by calling the FORSCOM emergency operations center, AUTOVON 572-3222, commercial (404) 752-3222.

(e) PAO of the nearest Army installation.

(f) If the movement is by commercial carrier: PAO, Military Traffic Management Command (MTMC), AUTOVON 289-1242, commercial (703) 756-1242. (During off-duty hours, notify the MTMC duty officer at AUTOVON 289-1125, commercial (703) 756-1125.)

(2) If on an installation within CONUS, OCPA and the AMC PAO. (During off-duty hours, notify the OCPA duty officer and the AMC duty officer as indicated in para 10-6.)

(3) If OCONUS, through the chain-of-command to the National Military Command Center.

b. Persons making news releases on biological or chemical accidents or incidents will notify OCPA by the fastest means available. Notification will include the content of the release. OCPA will notify other organizations outside the chain-of-command on a need-to-know basis.

**10-7. Additional contingency releases of preplanned announcements**

Other releases or announcements (or modifications) may be included in nuclear accident or incident PA plans to suit local contingencies, if approval has been given in advance by OCPA.

**10-8. Direct communications**

The Public Affairs communications channel should parallel the command communication channel. However, in order to expedite public affairs actions in the event of biological, chemical, or nuclear accident or incident, direct communication, by the fastest means possible, is authorized with the OCPA. When direct communication is used, the provisions of paragraphs 1-7 and 10-6 apply.

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1. Contact expeditiously the Office of the Assistant Secretary of Defense (Public Affairs) by any means available. OASD (PA) duty officer phone numbers are AUTOVON 227-5131 or commercial (202) 697-5131 and are maintained on a 24-hour basis. As a backup, communication also may be established through the National Military Command Center.

2. If actions have not been taken by the Federal Emergency Management Agency or the Department of Energy to establish a Joint Information Bureau, immediately establish a JIB near the scene of the accident.

a. Public affairs representation in the JIB shall include the Department of Defense, DOE, FEMA, other Federal agencies, and State and local governments.

b. Ensure that all public information is coordinated in the JIB before release.

3. Activate a Community Emergency Action Team as appropriate.

4. Provide immediately dedicated administrative, communications, and logistical support to the JIB. Communication support to the JIB shall include at least two dedicated telephone lines and facsimile reproduction. This capability, for use by all agencies in the JIB, will expedite coordination and transmission of releases being made on-scene and within the Department of Defense.

5. Protect classified information.

Note: For additional checklist information, see the Nuclear Weapon Accident Response Procedures (NARP) Manual, paragraphs 1-4 and 10-5.

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**Figure 10-1. Model public affairs checklist for DOD OSC or designee at a CONUS accident involving radioactive materials**

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#### Nuclear Accident/Incident Contingency Release 1—No Danger to the Public

##### Conditions for use

To be used when no danger to the public from contamination or blast exists, but when confirmation of the presence of a nuclear weapon or nuclear components significantly prevents or reduces widespread public alarm.

##### Release guidance

This sample news release is to be used as a guide. Information to be released to the public must not go beyond that contained in this sample.

##### Text of release

"A U.S. *(type)* aircraft *(other type of transportation)* carrying *(hazardous material, classified cargo, or unarmed nuclear weapon or weapons)* crashed *(or other circumstances)* approximately *(location and time)*."

"The public is requested to stay out of the area under surveillance by guards to preclude any remote possibility of hazard from the accident *(or conventional high explosives detonation)* and to aid removal operations. There is no need for evacuation. There is no danger of nuclear detonation."

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**Figure 10-2. Nuclear accident/incident contingency release 1—no danger to the public**

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### Conditions for use

To be used if public safety considerations require notifying local and State officials that hazardous cargo has been involved in an accident, the possibility exists for contamination due to fire or explosion, and details are unknown. This release neither confirms nor denies the presence of a nuclear weapon or nuclear components.

### Release guidance

This sample release is to be used as a guide. It is not intended for release to the general public. Contingency Release 3 (fig 10–4) should be used to inform the public.

### Text of minimum announcement

“A U.S. **(type)** aircraft **(other type of transportation)** carrying hazardous material crashed **(or other circumstances)** approximately **(location)** at **(time)**”.

“Visitors are warned to stay out of the area of the accident in the interest of public safety. Fire, rescue, and other emergency services personnel should approach the area with caution from upwind and be equipped with protective clothing and breathing apparatus. Use of water directly on the aircraft **(other type of transportation)** should be avoided unless needed to save property or lives. Any local official at the scene of the accident who can provide details on the situation should make a telephone call to this number: (        ). Current information from the accident scene will assist in evaluating the accident and providing additional public safety guidance.”

(See below for additional text if contact is made with the accident scene.)

### Text of expanded announcement

“If there is no immediate threat to life, and the fire cannot be extinguished immediately (5 minutes), the fire should be contained and allowed to burn out. Water as a firefighting agent should be used with caution due to possible adverse reaction with materials involved in the fire.”

“Law enforcement officials should prevent unauthorized personnel from entering the site and picking up fragments of the aircraft **(vehicle)** or its cargo.”

### Additional text if contact is made with the accident scene.

“If contact with the accident scene is established, determine the following:”

“Condition of aircraft (such as burning, evidence of explosion, or extent of damage).”

“Condition of accident site (such as fire or blast damage).”

“Evidence of obvious cargo (such as shapes or containers).”

Note: Based on the local and State officials responses to the above, determine the need for a public announcement of nuclear weapon involvement.

“If any fragments already have been picked up, avoid further contact or handling. Notify **(authorities)** for retrieval and proper disposition.”

“Military personnel **(have been dispatched or will be dispatched)** and **(will arrive or are scheduled to arrive)** soon at the site.”

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**Figure 10-3. Nuclear accident/incident contingency release 2—public possibly in danger (notification to local and State officials)**

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### Conditions for use

To be used if public safety considerations require making a public release that hazardous cargo was involved in an accident, the possibility exists for contamination due to fire or explosion, and details are unknown. This release neither confirms nor denies the presence of a nuclear weapon or nuclear components.

### Release guidance

This sample news release is to be used as a guide. Information to be released to the public must not go beyond that contained in this sample.

### Text of release

"A U.S. **(type)** aircraft **(other type of transportation)** carrying hazardous material crashed **(or other circumstances)** approximately **(location)** at **(time)**".

"The public is warned to stay out of the area **(under surveillance by guards)** in the interest of safety and to aid operations at the accident scene."

"A U.S. **(military service)** team from **(name of installation)** **(is en route to or has arrived at)** the scene of the accident."

"We have no details yet on civilian or military casualties or property damage."

"Further announcements will be made as more information is known."

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Figure 10-4. Nuclear accident/incident contingency release 3—public possibly in danger (general public)

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## Conditions for use

To be used if public safety considerations require announcement that a nuclear weapon has been involved in an accident and contamination is likely because of fire or conventional high explosive detonation of the weapon. Make the following statement locally or from competent authority if no local authority is available. This release does confirm the presence of a nuclear weapon or nuclear components.

### Release guidance

This sample news release is to be used as a guide. Information to be released to the public must not go beyond that contained in this sample.

### Text of release

**“(An/A) (aircraft/railroad train/truck/other) accident occurred (state time and location). The accident involved a nuclear weapon that contains conventional high explosives and radioactive material.”**

**“There is no danger of a nuclear detonation.”**

**“The public is warned to stay out of the area (or indicate the area) (now under surveillance by guards) because the conventional high explosives in the weapon (have detonated, are burning, or may detonate). Again, there is no danger of nuclear detonation but there is a danger from the conventional high explosives in the weapon that (have detonated, are burning, or may detonate).”**

**“An experienced Federal response team has been ordered to the scene of the accident.”**

**> “The most immediate danger in an accident of this kind is the effect of the blast caused by detonation of the conventional high explosives in the weapon. Local scattering of nuclear material in the form of finely divided dust may have resulted near the accident site and downwind from the explosion (fire). This poses little risk to health unless taken into the body by breathing or swallowing, and it is considered unlikely that any person would inhale or swallow an amount that would cause illness. As a precaution and until further evaluations are made, anyone within a (to be filled in by OSC or DDO) radius of the accident site, particularly downwind from this site (specify boundary where possible), is encouraged to remain indoors.”**

**> (Note: If appropriate, the following measures are recommended to minimize risk to the public.)**

**> “The most appropriate initial action is to remain calm and inside homes or office buildings. Turn off fans, air-conditioners, and forced air heating units. Drink and eat only canned or packaged foods that have been inside. Trained monitoring teams will be moving through the area wearing the special protective clothing and equipment issued to these teams to determine the extent of any possible contamination. The dress of these teams should not be interpreted as indicating any special risk to those indoors. If you are outside, proceed to the nearest permanent structure. If you must go outside for critical or lifesaving activities, cover your nose and mouth and avoid stirring up and breathing any dust. It is important to remember that your movement outside could cause yourself greater exposure and possibly spread contamination to those already protected.”**

**> (Note: Use this if plutonium is involved): “One of the materials involved is plutonium. Plutonium is both a poison and radiation hazard. The radiation given off consists of alpha particles that do not have sufficient energy to penetrate buildings, most clothing, or even the outer skin. Therefore, short-term exposure to contamination outside the body will pose negligible health risk.”**

**(Note: Use this if uranium is involved): “One of the materials involved is uranium. Contamination by uranium fragments or small particles dispersed by conventional (chemical) explosions or burning of a weapon is primarily a chemical health hazard (heavy metal poisoning similar to the lead poisoning associated with some paints), not a radiological hazard.”**

**“The public is asked to stay out of the area (under surveillance or closed off by guards) and (if true: until a monitoring team, en route to the site of the accident, can survey the ground and determine the exact area affected by the accident.) As a result of the explosion (fire), any fragments found near the scene of the accident may be contaminated and should be left in place. If fragments have been picked up, avoid further handling and notify (authorities) for proper retrieval and disposition.”**

**“Continuous announcements will be made as more information is known. It is expected that these immediate protective precautionary actions will be required for the next 4–6 hours.”**

**“A U.S. (military service) team from (name of installation) (is en route to or has arrived) at the scene of the accident.”**

**“We have no details yet on civilian or military casualties (or give numbers only of civilian and military casualties) or property damage.”**

**“The (type of carrier) was en route from (name of facility) to (name of facility).”**

**“The cause of the accident is under investigation.”**

### Text in response to query only

Question: “Are nuclear weapons stored at (name of facility) or (name of facility)?”

Reply: “It is Department of Defense policy neither to confirm nor deny the presence or absence of nuclear weapons at any particular location.”

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Figure 10-5. Nuclear accident/incident contingency release 4—public probably in danger

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### Conditions for use

To be used when there is no danger to the public, chemical surety material has not been released, and the security classification of the material is not compromised, but when the confirmation of the presence of chemical surety material will help maintain public order and prevent or reduce widespread alarm.

### Release guidance

This sample news release is to be used as a guide. Information to be released to the public must not go beyond that contained in this sample.

### Text of release

"A United States Army train **(other vehicle)** carrying chemical materials accidentally **(derailed, crashed, or other circumstances)** at approximately **(time)** near **(location)**".

"Although the danger **(from the derailment, accident etc.)** is remote, to facilitate removal operations, visitors are asked to stay out of the area under surveillance by guards until the cargo has been removed. There is no need for evacuation. All containers have been accounted for and none is leaking."

### Notice to press

The information contained herein is that which is authorized to be released at this time. As further information develops, it will be made available.

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Figure 10-6. Sample chemical warfare and NBC defense matters public announcement—1

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## Conditions for use

To be used if public safety requires announcement that chemical surety material has been involved in an accident or incident and that a chemical agent may be released.

## Release guidance

This sample news release is to be used as a guide. Information to be released to the public must not go beyond that contained in this sample. Release of information on military and civilian personnel killed or injured will be made only if authorized by paragraph 3–20 of this regulation and AR 360–80.

## Text of release

"The **(railroad, truck, maritime, or aircraft)** accident that occurred at **( o'clock today) (or day of week) (at/or near) (name of town or route number and direction and distance from town), (may have)** resulted in the escape of chemical materials that were being transported for the United States Army under congressional authorization. Trained chemical **(escort)** personnel **(were accompanying the shipment and are currently rendering), (have been dispatched from (location) to render)** the shipment harmless. Precautions have been taken to ensure that local citizens are not exposed."

**"(Military and/or police)** guards have been stationed to prevent entry into the area of possible danger. **(Evacuation of this area was necessary for the welfare of the community because of wind and weather conditions which could cause spread of the chemical materials)**. There is no danger, however, outside the guarded area. **(The public is urged to remain outside of the area bounded on the north by , on the east by , on the south by , and on the west by .)** Sightseers will hamper the work of the cleanup crew and may enter a possible danger area. A public announcement will be made when the hazardous material has been removed or rendered harmless by trained technicians."

"The name, grade, age, address, status, and other available data on military and civilian personnel killed or injured in the accident are listed below." **(See release guidance above.)**

## Notice to press

The information contained herein is that which is authorized to be released at this time. As further information develops, it will be made available.

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Figure 10-7. Sample chemical warfare and NBC defense matters public announcement—2

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## Conditions for use

To be used for accidents or incidents involving chemical surety material occurring on a military installation where the effects are confined to the installation.

## Release guidance

This sample news release is to be used as a guide. Information to be released to the public must not go beyond that contained in this sample. Release of information on any military and civilian people killed or injured will be made only if authorized by paragraph 3-20 of this regulation and AR 360-80.

## Text of release

"The **(railroad, maritime, truck, aircraft, or other)** accident that occurred at approximately **(time)** today at **(installation)** **(may have)** resulted in the release of hazardous material which was being **(transported, tested, stored, or manufactured)** for the Army."

"Trained **(chemical and medical)** personnel at the installation were onhand immediately to ensure that the material was rendered harmless, and safety officials at the installation have sealed off the area of possible danger."

"The accident took place in the **(building, laboratory, test site, storage area)** where **(installation personnel test, receive, store, or prepare material for shipment) (the material was being transported).**"

"Evacuation of the area of possible danger was not considered necessary **(was necessary for the safety of installation employees because of wind and weather conditions which could cause spread of material)**. There is no danger, therefore, outside the designated area. However, precautions have been taken to ensure that local citizens are not exposed, and the public is urged to remain outside the area bounded on the north by , on the east by , on the south by , and the west by . A public announcement will be made when these precautionary measures are no longer necessary."

**"(A board of inquiry has been appointed to determine the cause of the accident.)"**

"The name, grade, age, address, status, and other available data on military and civilian personnel killed or injured in the accident are listed below." **(See release guidance above.)**

## Notice to press

The information contained herein is that which the installation commander is authorized to release. As further information develops, it will be made available.

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Figure 10-8. Sample chemical warfare and NBC defense matters public announcement—3

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## Conditions for use

To be used for accidents involving chemical surety material occurring on an installation where the effects drift off the installation.

## Release guidance

This sample news release is to be used as a guide. Information to be released to the public must not go beyond that contained in this sample. Release of information on any military or civilian personnel killed or injured will be made only if authorized by paragraph 3–20 of this regulation and AR 360–80.

## Text of release

"The **(railroad, maritime, truck, aircraft, or other)** accident that occurred at approximately **(time)** today at **(installation)** **(may have)** resulted in the release of hazardous material that was being **(transported, tested, stored, or manufactured)** for the Army."

"Trained **(chemical and medical)** personnel at the installation are onhand and are currently rendering the material harmless."

"The accident took place in the **(building, laboratory, test site, storage area)** where **(installation personnel test, receive, store, or prepare material for shipment)** **(the material was being transported.)**"

"Evacuation of the designated area was considered necessary for the welfare of installation employees because of wind and weather conditions that could cause possible spread of materials off the installation. To ensure that local citizens are not exposed, actions were taken to evacuate an area outside the installation bounded on the north by , on the east by , on the south by , and on the west by . The public is urged to stay outside that area. Sightseers will hamper the work of the cleanup crew and may enter a possible danger area. A public announcement will be made when the hazard no longer exists."

**"(A board of inquiry has been appointed to determine the cause of the accident.)"**

"The name, grade, age, address, status, and other available data on the military and civilian personnel killed or injured in the accident are listed below." **(See release guidance above.)**

## Notice to press

The information contained herein is that which the installation commander is authorized to release. As further information develops, it will be made available.

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Figure 10-9. Sample chemical warfare and NBC defense matters public announcement—4

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## **Appendix A References**

### **Section I Required Publications**

#### **AR 1–20**

Legislative Liaison. (Cited in paras 3–45*b*(1) and 3–64.)

#### **AR 1–33**

Memorial Programs. (Cited in para 3–60.)

#### **AR 5–9**

Intraservice Support Installation Area Coordination. (Cited in paras 2–2*c* and 2–4*b*.)

#### **AR 5–10**

Reduction and Realignment Actions. (Cited in paras 3–39*a* and 3–40*a*.)

#### **AR 5–14**

Managing Analytical Support Services. (Cited in para 3–26.)

#### **AR 5–20**

Commercial Activities Program. (Cited in para 3–39*a*(2).)

#### **AR 10–5**

Department of the Army (Cited in para 2–1.)

#### **AR 11–2**

Internal Control Systems. (Cited in title page.)

#### **AR 11–27**

Army Energy Program. (Cited in para 3–46*b*.)

#### **AR 12–15**

Joint Security Assistance Training Regulation. (Cited in paras 3–14*a* and 3–14*b*.)

#### **AR 20–1**

Inspector General Activities and Procedures. (Cited in para 3–17.)

#### **AR 25–series**

Army Training and Audiovisual Support. (Cited in paras 3–30 and 3–38.)

#### **AR 27–40**

Litigation. (Cited in para 3–28*a*.)

#### **AR 37–100–XX**

The Army Management Structure. (Cited in para 1–10.)

#### **AR 40–2**

Army Medical Treatment Facilities: General Administration. (Cited in paras 3–19 and 3–24*a*(3).)

#### **AR 50–5**

Nuclear Surety. (Cited in para 10–1*a*.)

#### **AR 50–6**

Chemical Surety Program. (Cited in para 10–1*a*.)

#### **AR 70–18**

The Use of Animals in DOD Programs. (Cited in para 3–61.)

#### **AR 70–31**

Standards for Technical Reporting. (Cited in paras 4–2*d* and 9–3*b*(5).)

#### **AR 70–45**

Scientific and Technical Information Program. (Cited in para 9–3*b*(1).)

#### **AR 140–1**

Mission, Organization and Training. (Cited in para 6–4.)

#### **AR 140–145**

Individual Mobilization Augmentation (IMA). (Cited in para 6–2*a*.)

#### **AR 140–185**

Training and Retirement Point Credits and Unit Level Strength Accounting Records. (Cited in para 6–4.)

#### **AR 190–13**

Physical Security. (Cited in para 3–33.)

#### **AR 190–24**

Armed Forces Disciplinary Control Boards and Off-Installation Military Enforcement. (Cited in para 3–10.)

#### **AR 190–45**

Records and Forms. (Cited in para 3–58.)

#### **AR 190–47**

The U.S. Army Correctional System. (Cited in para 3–9.)

#### **AR 190–52**

Countering Terrorism and Other Major Disruptions on Military Installations. (Cited in para 3–65.)

#### **AR 195–2**

Criminal Investigation Activities. (Cited in paras 3–16 and 3–58.)

#### **AR 195–6**

Department of the Army Polygraph Activities. (Cited in para 3–57.)

#### **AR 200–1**

Environmental Protection and Enhancement. (Cited in para 3–49.)

#### **AR 200–2**

Environmental Effects of Army Actions. (Cited in para 3–49.)

#### **AR 210–7**

Commercial Solicitation on Army Installations. (Cited in para 3–62.)

#### **AR 210–10**

Administration. (Cited in paras 3–45*d* and 3–54.)

#### **AR 310–1**

Publications. Blank Forms and Printing Management. (Cited in para 3–47*d*.)

#### **AR 340–17**

Release of Information and Records from Army Files. (Cited in paras 1–5, 3–21*e*, 3–24, 3–42*d*, 3–47*a*, 3–56, 3–58 and 9–2.)

#### **AR 340–21**

The Army Privacy Program. (Cited in paras 1–5, 3–24, 3–47*a*, 3–55, 3–58 and app B.)

#### **AR 350–2**

Opposing Force Program. (Cited in para 3–27.)

#### **AR 360–7**

Army Broadcasting Service (American Forces Radio and Television Service). (Cited in para 3–45*a*.)

#### **AR 360–61**

Community Relations. (Cited in paras 3–45*c*, 5–1*m* and 8–1*c*.)

**AR 360-80**

Release of Information When More than One Service is Involved in Accidents or Incidents. (Cited in para 3-21f.)

**AR 360-81**

Command Information Program. (Cited in para 3-45a.)

**AR 380-5**

Department of the Army Information Security Program. (Cited in paras 1-4e and 3-33.)

**AR 380-10 (C)**

Department of the Army Policy for Disclosure of Military Information to Foreign Governments. (Cited in para 3-63.)

**AR 380-13**

Acquisition and Storage of Information Concerning Nonaffiliated Persons and Organizations. (Cited in para 3-51.)

**AR 380-25 (C)**

Foreign Visitors and Accreditations. (Cited in para 3-48.)

**AR 380-49**

Industrial Security. (Cited in para 9-3a(4).)

**AR 380-86**

Classification of Chemical Warfare and Chemical and Biological Defense Information (Cited in para 10-1a.)

**AR 381-14 (C)**

Counterintelligence: Technical Surveillance Countermeasures. (Cited in para 3-59.)

**AR 381-20**

U.S. Army Counterintelligence. (CI) Activities. (Cited in paras 3-15 and 3-59.)

**AR 385-10**

Army Safety Program. (Cited in para 3-46a.)

**AR 405-10**

Acquisition of Real Property and Interests Therein (Cited in para 3-50.)

**AR 500-50**

Civil Disturbances. (Cited in paras 3-7b and 3-66.)

**AR 500-51**

Emergency Employment of Army and Other Resources Support to Civilian Law Enforcement. (Cited in para 3-66.)

**AR 500-60**

Disaster Relief. (Cited in para 3-7a.)

**AR 530-1**

Operations Security (OPSEC). (Cited in para 1-6.)

**AR 550-1**

Procedures for Handling Requests for Political Asylum and Temporary Refuge. (Cited in para 3-52.)

**AR 600-10**

The Army Casualty System. (Cited in paras 3-20, 3-21g(3), 3-22 and 3-23.)

**AR 600-20**

Army Command Policy and Procedures. (Cited in para 3-45.)

**AR 600-46**

Attitude and Opinion Survey Program. (Cited in para 3-53.)

**AR 600-50**

Standards of Conduct for Department of the Army Personnel. (Cited in paras 3-37b(5) and 4-1c(3).)

**AR 600-85**

Alcohol and Drug Abuse Prevention and Control Program. (Cited in para 3-25.)

**AR 601-270**

Military Entrance Processing Stations (MEPS). (Cited in para 3-11.)

**AR 608-20**

Voting by Personnel of the U.S. Armed Forces. (Cited in para 3-45f.)

**AR 638-30**

Graves Registration Organization and Functions in Support of Major Military Operations. (Cited in para 3-35c(5).)

**AR 672-8**

Manufacture, Sale, Wearing, and Quality Control of Heraldic Items. (Cited in para 3-37b(7).)

**AR 840-1**

Department of the Army Seal and the Department of the Army Plaque. (Cited in para 3-37b.)

**DA Memo 360-1**

Army Staff and Secretariat Public Information Program. (Cited in paras 2-6a and 3-1b(4).)

**DA Memo 360-9**

Review and Clearance of Information for Release Outside DOD. (Cited in para 2-6a.)

**DA Pam 360-3**

Army Hometown News Program (Cited in paras 7-1b and 7-4a.)

**Section II****Required Publications**

A related publication is merely a source of additional information. The user does not have to read it to understand the regulation.

**AFARS**

Army FAR Supplement.

**DFARS**

Defense FAR Supplement.

**DOD 5220.22-M**

Industrial Security Manual for Safeguarding Classified Information.

**DOD 4515.13-R**

Department of Defense Air Transportation Eligibility Regulation.

**DOD 5220.22-R**

Industrial Security Regulation.

**DOD 5400.7-R**

DOD Freedom of Information Act Program.

**DODD 3025.12**

Employment of Military Resources in the Event of Civil Disturbances.

**DODD 5122.8**

Use of Military Carriers for Public Affairs Purposes.

**DODD 5200.1**

DOD Information Security Program.

**DODD 5230.24**

Distribution Statements on Technical Documents.

**DODD 5230.25**

Withholding of Unclassified Technical Data from Public Disclosure.

**DODD 5400.7**

DOD Freedom of Information Act Program.

**DODD 5400.11**

DOD Privacy Act Program.

**DODD 5410.15**

Delineation of DOD Audiovisual Public Affairs Responsibilities and Policies.

**DODD 5410-16**

Procedures for DOD Assistance on Production of Nongovernment Motion Picture and Television Programs.

**DODI 5435.2**

Delegation of Authority to Approve Travel In and Use of Military Carriers for Public Affairs Purposes.

**FAR**

Federal Acquisition Regulation.

**FM 10-63**

Handling Of Deceased Personnel in Theaters of Operations.

**FM 101-5**

Staff Organization & Operations.

**Section I****Referenced Forms****DD Form 2266**

Information for Hometown News Release. (Prescribed in para 7-4c.)

**Section IV****Referenced Forms****DD Form 214**

Certificate of Release or Discharge from Active Duty

**DD Form 254**

Contract Security Classification Specification

**Appendix B****Guidance on Release of Information Under the Privacy Act****B-1. Scope of the Privacy Act**

The term "individual" as defined in the Privacy Act applies only to living citizens of the United States or an alien admitted for permanent residence. The Privacy Act rights of an individual may be exercised by the parent or legal guardian of a minor or an incompetent. The Privacy Act confers no rights on deceased persons, nor may next-of-kin exercise any rights for them.

**B-2. Age or date of birth**

This information is not routinely or normally releasable. Reason for disclosure must be evaluated and balanced against the degree of invasion of personal privacy.

**B-3. Home of record/present address**

*a.* No general rule for the disclosure of an individual's home of record can be made because of the different circumstances that are present in requests for this information. Therefore, a balancing test

must be made on each case. The home of record may usually be released if no street address is given.

*b.* In most cases, in response to questions, an individual's present location; for example, Clinton, Maryland, may be provided but not the individual's street address.

*c.* When possible, the desires of the individuals or next-of-kin should be considered in disclosing the home of record or present geographic location. In many cases, consent to release may be obtained, which removes the problem. However, the desires of the individual or next-of-kin do not necessarily control the decision to release. When an objection to release is made, a balancing of interests under the Freedom of Information Act may still require disclosure.

**B-4. Marital status/dependents**

The fact that an individual is married (or not married) is not routinely or normally disclosable. Reasons for disclosure must be evaluated and balanced against the degree of invasion of personal privacy.

**B-5. Awards and decorations/citations**

This information is releasable. The presentation of an award, decoration, and/or other proper citation is generally a public event. It usually is publicized in the installation newspaper. In the case of most awards and decorations there is a visible token thereof worn upon the uniform.

**B-6. Education/schooling/specialty**

This information is releasable by DODD 5400.11, paragraph B.2, enclosure 5. Information on the major area of study, school, year of graduation, degree, and specialty designator is generally releasable under FOIA.

**B-7. Race**

In most cases, race is not releasable. To release information from departmental records on race may constitute an unwarranted invasion of privacy. However, a specific request may be made for such information in circumstances in which it is relevant; for example, a racially oriented protest or altercation. When an individual's race is relevant to the essential facts, it may be released to the press.

**B-8. Character of discharge**

*a. Administrative.* Not releasable. The character of discharges resulting from administrative processing is not a matter of public record. Do not release any indication of whether or not a discharge is honorable, general, or under other than honorable conditions. The Department of Defense has gone to great lengths to preserve the confidentiality of the type of discharge, including the removal of SPN numbers from DD Form 214 (Certificate of Release or Discharge from Active Duty). The release of this information to the general public is viewed as an unwarranted invasion of personal privacy and not releasable under the Privacy Act unless the individual provides his or her written consent.

*b. Punitive.* Releasable. In discharges resulting from courts-martial, the proceedings and record are not restricted by the Privacy Act because that act incorporates the definition of "agency" found at 5 USC 551(1) which specifically excludes court-martial (5 USC 551(1)(F)). Court-martial proceedings are public. Therefore, the approved sentence and subsequent clemency action, if any, are releasable.

**B-9. Duty status**

This information is releasable. DODD 5400.11 specifically permits the release of information on duty status, to include relevant dates as specified in appropriate departmental directives. Release of information such as the fact of unauthorized absence or desertion, hospitalization, in hands of civil authorities awaiting trial, and confinement by military authorities awaiting trial is permitted.

**B-10. Decisions of personnel boards**

This information is releasable after decision by final approving

authority if the board action applies to a category of persons as opposed to an individual. Otherwise it is not releasable.

a. Results of personnel board actions which affect groups such as promotion boards and augmentation boards are releasable. DODD 5400.11 recognizes the public nature of such boards by including promotion and other similar board actions as matters within the public domain and releasable.

b. The results of personnel board actions which affect individuals, such as administrative discharge boards and aviator flight boards, are not generally releasable. The results of the latter category of boards traditionally have not been released. The board proceedings are not public, and the nature of the action taken, often adverse, warrants preservation of its confidentiality. Information may be confirmed which has become a matter of public knowledge through the action of the individual or his/her counsel.

#### **B-11. Photographs in the custody of the Department of Defense**

Photographs of DOD military and civilian personnel taken for official purposes are generally releasable unless matters are depicted that would constitute a clearly unwarranted invasion of personal privacy if disclosed to public view. Generally, award ceremony photographs, official selection file photographs, chain of command photographs, and similar photographs are releasable. When such photographs are taken, this is not the collection of information contemplated by the Privacy Act, section e(3), and AR 340-21, paragraph 4-3.

#### **B-12. Name and/or duty address of a member assigned to a unit that is sensitive, routinely deployable, or stationed in a foreign territory**

This information is not routinely releasable. Release would constitute a clearly unwarranted invasion of privacy because disclosure poses a security threat to the soldier when it reveals information about his or her degree of involvement in military actions in support of national policy, the type of military unit to which the member is assigned, and presence or absence from his or her household. The releasing authority, normally the soldier's unit commander, must weigh the public interest in disclosure against the invasion of personal privacy that will result from the disclosure. OASD (PA) is the sole approving authority for release of rosters listing members of this type of unit by name.

### **Appendix C Billing Requirements**

#### **C-1. Statements of charges**

The production company will be provided with individual statements of charges assessed by each installation and DA or DOD Component providing assets to assist in the production. Statements must be presented within 30 days of the end of the month in which photography is completed. Reimbursements are to be restored to each specific account from which they are drawn to assist the production.

#### **C-2. Additional expenses**

The production company will be billed only for those expenses that are considered to be additional expenses to the Government. The assigned project officer will serve as the central coordinator for submitting statements to the producer and will be used to determine costs for which the Government will be reimbursed:

- a. Cost of petroleum, oil, and lubricants for equipment used.
- b. Cost of resultant depot maintenance.
- c. Cost of expendable supplies.
- d. Cost of travel and per diem.
- e. Cost of civilian overtime.
- f. Cost of replenishment spares.
- g. Cost of lost or damaged equipment.

h. Cost of commercial power or other utilities for facilities kept open beyond normal duty hours or in such cases when the production company's consumption of utilities is significant.

i. Costs incurred in diverting or moving equipment to a specific location to support the production requirements.

j. Cost of all flying hours related to production assistance, including takeoffs, landings, and ferrying aircraft from military locations to filming sites, except when such missions coincide with and can be considered legitimate operational and training missions.

k. The production company will not be required to reimburse the Government for military or civilian manpower (except for civilian overtime) when such personnel are officially assigned to assist in the production. This does not apply to National Guard and Reserve personnel assigned in an official capacity when these members have been called to active duty at additional cost to the Government to perform the assigned mission. Reimbursement for Guard and Reserve personnel in an official capacity will be calculated at the composite rate for each individual's paygrade.

l. Normal training and operational missions that would occur regardless of DA or DOD assistance to a particular production will not be chargeable to the production company.

m. Beyond actual operational expenses, no charges will be levied for asset usage (i.e., rental and/or depreciation factors).

#### **C-3. Notes for comptrollers:**

a. DA or DOD Components will draw against the advance payment or Letter of Credit posted by the production company such amounts as necessary to establish the budget authority required to replenish materiel and equipment as a result of DA or DOD assistance to the production. Applicable amounts will be credited to the specific appropriations accounts before incurring obligations to actually replace materiel and equipment.

b. Materiel and equipment costs will be calculated at the acquisition cost or the estimated current replacement cost, whichever is higher.

### **Appendix D Project Officer Duties**

#### **D-1. Liaison**

Act as liaison between the production company. Army organizations supporting the production, and Headquarters DA. Maintain liaison with units and commands providing assistance to ensure approved support is provided in a timely manner.

#### **D-2. Reports**

Maintain contact with OCPA and submit periodic progress reports. Timing of the reports will be established by OCPA. Submit an after action report that includes, at a minimum, the following: a) a short narrative summary of the overall project; b) an itemized listing by command of all support provided, its cost, and amount reimbursed; c) a discussion of problems encountered and their solutions; d) a listing of key military and production company personnel involved in the project; and e) recommendation concerning future support to the motion picture/television industry.

#### **D-3. Coordinate bills**

Serve as the central coordinator for submitting bills to the producer and monitor the payments to the Government. Coordinate with installations or commands providing assets to the production to ensure the production company receives accurate and prompt statements for charges assessed by the Government and that the Government receives in a timely fashion sufficient payment for any addition expenses incurred to support the production.

#### **D-4. Authentic portrayal**

Advise the production company on technical aspects and arrange for

information necessary to ensure accurate and authentic portrayals of DA or DOD.

#### **D-5. “Hold Harmless” requirements**

Coordinate with installations or commands providing assets to the production to ensure adequate insurance requirements are met and legally sufficient Hold Harmless agreements are executed before providing assistance.

#### **D-6. Estimate of expenses**

Develop an estimate of expenses based on the Requirements List, when DA/DOD assistance to a production requires the production company to reimburse the Government for additional expenses.

#### **D-7. “Letter of Credit”**

Ensure the production company posts advance payment or a sufficient Letter of Credit to cover estimated expenses before filming DA- or DOD-assisted sequences.

## **Appendix E Technical Advisors**

### **E-1. General**

When considered in the best interest of DA or DOD, technical advisor(s) may be required to provide on-scene assistance to the production company. In some instances, the project officer may be the technical advisor. When separate technical advisor(s) are used, they report to and work for the Project Officer.

### **E-2. Criteria**

Whether the project officer serves as the technical advisor or a separate advisor is assigned, the following criteria apply:

- a.* The assignment will be at no additional cost to the Government. The production company will be responsible for payment of such items as travel and per diem when required.
- b.* The assignment will be for the length of time to cover preproduction requirements through completion of photography. When necessary, the assignment may be extended to cover post-production stages.

### **E-3. Responsibilities**

- a.* Supervise the use of DA or DOD equipment, facilities, and personnel.
- b.* Arrange to attend pertinent preproduction and production conferences, be available during rehearsals to provide technical advice, be present during filming of all scenes pertinent to DA, and attend screening of dailies.
- c.* Ensure selection of locations, uniforms, awards and decorations, grooming standards, insignia, and set dressing are applicable to the military aspects of the film.
- d.* Arrange for other appropriate technical advisors to be present when highly specialized military technical expertise is required.
- e.* Ensure that the production adheres to the approved script and list of assistance requirements.
- f.* Authorize minor deviations from the approved script or list of assistance requirements, provided such deviations are feasible, consistent with safety standards and in keeping with the approved story line. All other deviations must be referred to OCPA for approval.
- g.* Suspend assistance when action by the production company is contrary to stipulations governing assistance to the project and to the best interest of DA or DOD until the matter is resolved locally or by referral to OCPA.
- h.* Attend the DA or DOD acceptance screening of the product unless OCPA and the production company mutually agree otherwise.

## **Glossary**

### **Section I Abbreviations**

#### **AFDCB**

Armed Forces Disciplinary Control Board

#### **AFRTS**

American Forces Radio and Television Service

#### **AMC**

U.S. Army Materiel Command

#### **AOC**

Army Operations Center

#### **ARCOM**

U.S. Army Reserve Command

#### **ARNG**

Army National Guard

#### **ARPERCEN**

U.S. Army Reserve Personnel Center

#### **ASD(PA)**

Assistant Secretary of Defense (Public Affairs)

#### **CA**

commercial activities

#### **CAIRA**

chemical accident and incident response and assistance

#### **CEAT**

community emergency action team

#### **CFSC**

U.S. Army Community and Family Support Center

#### **CI**

counterintelligence

#### **CONUS**

continental United States

#### **CONUSA**

the numbered armies in the continental United States

#### **DA**

Department of the Army

#### **DDO**

Deputy Director of Operations

#### **DOD**

Department of Defense

#### **DOE**

Department of Energy

#### **EIS**

Environmental Impact Statement

#### **EO**

executive order

#### **FAR**

Federal Acquisition Regulation

#### **FCO**

Federal coordinating officer

#### **FEMA**

Federal Emergency Management Agency

#### **FOIA**

Freedom of Information Act

#### **FORSCOM**

U.S. Army Forces Command

#### **GOCOM**

U.S. Army Reserve General Officer Command

#### **HNS**

U.S. Army and Air Force Hometown News Service

#### **HQDA**

Headquarters, Department of the Army

#### **HSC**

U.S. Army Health Services Command

#### **IMA**

individual mobilization augmentee

#### **INSCOM**

U.S. Army Intelligence and Security Command

#### **IRR**

Individual Ready Reserve

#### **JIB**

Joint Information Bureau

#### **MACOM**

major Army command

#### **MCC**

movement control center

#### **MDW**

U.S. Army Military District of Washington

#### **MEPS**

Military Entrance Processing Stations

#### **MILPERCEN**

U.S. Army Military Personnel Center

#### **MTMC**

Military Traffic Management Command

#### **NAIRA**

nuclear accident and incident response and assistance

#### **NARP**

nuclear weapon accident response procedures

#### **NBC**

nuclear, biological, chemical

#### **NEPA**

National Environmental Policy Act

#### **NGB**

National Guard Bureau

#### **NMCC**

National Military Command Center

#### **OASD(PA)**

Office of the Assistant Secretary of Defense (Public Affairs)

#### **OCLL**

Office of the Chief of Legislative Liaison

#### **OCONUS**

outside continental United States

#### **OCPA**

Office of the Chief of Public Affairs

#### **OPFOR**

opposing forces

#### **OPSEC**

operations security

#### **OSC**

on-scene commander

#### **OSD**

Office of the Secretary of Defense

#### **PAO**

public affairs officer

#### **PEL**

permissible exposure limits

#### **RDTE**

research, development, test, and evaluation

#### **ROTC**

Reserve Officers' Training Corps

#### **SES**

Senior Executive Service

#### **SI**

seriously ill

#### **TRADOC**

U.S. Army Training and Doctrine Command

#### **U.S.**

United States

#### **USAISC**

U.S. Army Information Systems Command

#### **USAR**

U.S. Army Reserve

#### **USASDC**

U.S. Army Space Defense Command

#### **VIP**

very important person



**VSI**  
very seriously ill

**WESTCOM**  
U.S. Army Western Command

## **Section II** **Terms**

### **Accreditation**

A means of identifying correspondents with a legitimate need to gather news about military affairs and fostering a professional relationship between the military and the media. Accreditation does not provide correspondents any special privileges. Access to military areas, receipt of information, and use of facilities remain the commander's prerogatives within the bounds of security and the provisions of this regulation.

### **Appropriate public affairs support**

That public affairs support the responsible PAO and his or her commander decide is suitable to meet a PA requirement of a unit within the installation's PA area of responsibility but not in the installation's direct chain of command.

### **Background**

Remarks that may be reported only if attributed to a nonspecific source; for example, Army official. A background discussion or briefing may be held to give news media representatives a better understanding of a situation. This form of attribution must be agreed on in advance. Cameras cannot be used in background sessions. Records of background media briefings are not protected from disclosure under the Freedom of Information Act.

### **Clearance of information**

Approval by the reviewing authority to publish or release submitted material.

### **Federal coordinating officer**

The Federal official appointed by the President upon the declaration of a major disaster or emergency in CONUS under Public Law 93-288 to coordinate the overall Federal response.

### **Freedom of Information Act**

The public law (5 USC 552) which enforces the right of any person to request and obtain information on the operations of Government agencies, except for information specifically exempt from release by the Act. DODD 5400.7, DOD 5400.7-R, and AR 340-17 implement the Act. See AR 340-17, paragraph 3-200, for exemptions from release.

### **General attribution**

A spokesperson identified as U.S. Army spokesperson, TRADOC spokesperson, and so forth.

### **Indirect quote**

Remarks which may be used in substance (but not verbatim) and may be attributed to a

specific source. There is seldom a reason to be interviewed on this basis.

### **Joint Information Bureau**

A facility established at the scene of a nuclear weapon accident or significant incident to coordinate all PA activities. The CONUS JIB shall include representation from DOD, the DOE, the FEMA, and other Federal agencies, as well as State and local governments. OCONUS, FEMA would be replaced by the Department of State.

### **Local area of public affairs responsibility**

That area in which installation PAOs and media representatives maintain routine contact concerning installation activities. Routine contact is defined as a minimum of once each month in the context of work performed.

### **Local interest material**

Material the local commander decides is newsworthy only in the geographical area of origin or to a specific audience. Such material will not normally generate regional, national, or international interest.

### **Local travel**

Travel considered local both in distance from the military headquarters or installation and in the scope of interest in the public affairs program involved.

### **Military chemical accident**

A military chemical accident is any situation involving an unintentional or uncontrolled release of a chemical agent which results in any of the following:

- a. Exposure of personnel that results in a fatality, a lost work day case (away from work), or physiological symptoms requiring more than standard first aid procedures. (Administration of antidotes is considered standard first aid.)
- b. Property damage of \$10,000 or more.
- c. Chemical agent presence in the atmosphere outside a chemical limited area that exceeds the permissible exposure limits for nonagent workers and general populace.
- d. A production interruption that exceeds 24 hours, unless voluntarily interrupted pending the outcome of an investigation.
- e. Significantly degraded operational capability.

### **Military chemical incident**

A military chemical incident is any situation involving an unintentional or uncontrolled release of a chemical agent which results in any of the following:

- a. Exposure of personnel to a chemical agent that results in a lost work day case (restricted work activity), light duty, or physiological symptoms requiring standard first aid treatment. (Administration of atropine or other antidote is considered standard first aid.)
- b. Chemical agent presence in the atmosphere within a chemical limited area where unmasked workers normally have access, and

the concentration exceeds the PEL for unmasked workers but does not meet the concentration criteria for an accident.

c. Property damage of at least \$1,000 that is not reported as an accident.

d. Loss (other than caused by acceptable laboratory processes), attempted theft or diversion of chemical surety materiel, or actual or attempted penetration of a chemical limited area, or attempted damage to a storage facility.

### **Military transportation**

Any form or type of transportation provided by a military department.

### **National Defense Area**

An area established on non-Federal lands located within the United States, its possessions or territories for the purpose of safeguarding defense information or protecting DOD equipment and material. Establishment of an NDA temporarily places such non-Federal lands under the effective control of the DOD. An NDA is established only as a result of an emergency event.

### **National interest material**

Material generated by Army agencies or subordinate commands or requested by non-government agencies which is determined by the head or commander of the Army agency or activity involved to exceed local and regional interest criteria because of geographical locale or program impact, or because it addresses national policy, programs, and projects, or because of interest by national or international media representatives.

### **National media representatives**

Representatives of news gathering organizations, including magazines, that prepare material for nationwide distribution.

### **News media representatives**

Representatives of newspapers, radio, television, magazines, wire services or other news gathering organizations, and free-lance journalists or authors.

### **Nonlocal travel**

Travel to support a PA program outside the PA area of responsibility of the command making the request. This travel is not local because of the travel distance or scope of interest of the PA program involved.

### **Not for attribution**

Information which may be used by a news media representative but may not be attributed to any source. This is sometimes referred to as "deep background."

### **Nuclear reactor accident, incidents, and occurrences (includes seizure)**

An uncontrolled reactor criticality resulting in damage to the reactor core or release of fission products from the reactor core to the atmosphere or surrounding environment. Criteria for determining whether an accident

within this general description has occurred include—

- a. Fatality or lost workday injury to an individual as a direct result of the accident. Also included is the loss of any reactor fuel.
- b. Damage to property in excess of \$100,000.
- c. Release of radioactive material exceeding 5,000 times the limits specified for materials listed in appendix B, table II, title 10, CFR Part 20, when averaged over a period of 24 hours.
- d. Exposure of the whole body of any individual to 25 rems or more radiation; exposure of the skin of the whole body to 150 rems or more of radiation; or exposure of the feet, ankles, hands, or forearms to 375 rems or more of radiation.
- e. A loss of one workweek or more of the operation of the facilities.

#### **Nuclear weapon accident**

An unexpected event involving nuclear weapons or nuclear components that results in any of the following:

- a. Nonnuclear detonation or burning of a nuclear weapon.
- b. Radioactive contamination.
- c. Seizure, theft, or loss of a nuclear weapon or nuclear component, including jettisoning.
- d. Public hazard, actual or implied.

#### **Nuclear weapon minor incident**

An unexpected event involving nuclear weapons that is not reportable as a nuclear weapon accident or significant incident, but that results in any of the following:

- a. Damage to the warhead or warhead section that Army organizations are authorized to repair, or malfunctions of associated equipment that could result in damage to the warhead or warhead section. (Associated equipment that includes testing, handling, launching, controlling, arming, and monitoring systems.)
- b. Damage, loss, or destruction of a nuclear-type training weapon, warhead, or warhead section. Of particular concern are instances of damage or equipment failure when the same technical procedures and equipment prescribed for use with nuclear weapons were being used on a trainer.
- c. Unauthorized acts that degrade the safety of a nuclear weapon, unless they are reportable as accidents or significant incidents.
- d. A nuclear-capable missile system accident in-flight that does not meet the definition of a war risk accident or while being transported or stored, even though no nuclear warhead or warhead joint-flight-test assembly is attached at the time. Missile system accidents will be reported.
- e. Any other condition that is reportable in the judgment of the commander or custodian of a nuclear weapon.

#### **Nuclear weapon significant incident**

An unexpected event involving nuclear weapons or nuclear components that does not fall in the nuclear weapon accident category, but results in any of the following:

- a. Evident damage to the extent that major rework, complete replacement or examination, or recertification by the Department of Energy is required.
- b. The striking of a nuclear weapon by lightning or when commander suspects that lightning has degraded the safety or reliability of a nuclear weapon system.
- c. When it is known or suspected that a nuclear weapon has been partially or fully armed.
- d. Probable high interest by the public or news media.
- e. An attempted penetration, actual penetration, or other unexpected degradation of the security of nuclear weapons sites, activities, or logistical movements.
- f. A threat, actual or implied, of an attempt to seize a nuclear weapon. This includes a threat to attack or inflict damage to a nuclear weapons storage site, nuclear weapons, or nuclear weapons security forces.

#### **Nuclear weapon war risk accident**

An event that results in either of the following:

- a. An accidental, unauthorized, or unexplained nuclear detonation.
- b. An accidental or unauthorized launching, firing, or use by U.S. Forces or U.S. supported Allied Forces of a nuclear-capable weapon system which could create the risk of an outbreak of war.

#### **Off the record**

Remarks that are to be held in confidence and may not be used in any form. Such information may be furnished news media representatives to add to their understanding of a complicated situation, to avoid inaccuracies, to avoid inadvertent disclosures that could be harmful to an operation or program, or to help news media representatives cover military operations or activities. This type of discussion should be used with the utmost caution and with clear mutual understanding of its meaning and limitations.

#### **Official source**

A commander or his or her designated representative who conducts discussions with news media representatives as an official spokesperson for his or her command, its components, or its subordinate units. A spokesperson may be identified by name.

#### **Official statement**

Statement on Army matters by an Army representative acting in an official capacity.

#### **Onscene commander**

The designated DOD military official who has operational control of emergency response forces and supervises all operations at the scene of a chemical accident. Based on the severity of the problem, this could be a

general officer. For nuclear accidents, a general officer who has operational control of emergency forces and supervises all onsite operations.

#### **On the record**

Remarks that may be quoted directly or indirectly and may be attributed as either personal or general attribution.

#### **Personal attribution**

A spokesperson identified by name, grade, and position.

#### **Privacy Act of 1974**

The public law, amending title 5 USC 552 and adding section 552a. The intent of this law is to safeguard individual privacy from misuse of personal information in Federal records. DODD 5400.11 and AR 340-21 implement the law.

#### **Public affairs area of responsibility concept**

This concept decentralizes PA activities and coordinates them within an assigned geographic area through an Active Army installation.

#### **Public affairs area responsibilities**

A geographical area where one PAO coordinates PA activities that are not the direct responsibility of other commands located within that geographic area. For example, elements of the U.S. Army Recruiting Command (USAREC) and elements of the U.S. Army Forces Command may be within an area under the responsibility of U.S. Army Training and Doctrine Command. Any PA matter not the direct responsibility of the USAREC and FORSCOM elements is the responsibility of the PAO at the designated TRADOC installation. Area PA responsibilities are characterized by both lateral and vertical communication and coordination.

#### **Radiological accident**

A loss of control over radiation or of radioactive material not involving nuclear weapons that presents a hazard to life, health, or property.

#### **Regional interest material**

Material the commander of the Army activity involved decides is newsworthy only in the geographical region of origin or to a specific audience. Such material generates more than local interest but does not merit national or international interest.

#### **Release of information**

Dissemination of information to the public, either on Army initiative or in response to an external request. Includes written news releases, still photographs, motion picture films, question and answer interviews, speeches, audio or video tape recordings, articles for publication in printed media or for broadcast by radio or television, and oral responses to queries.

**Safeguarded information**

Defense information requiring protection under DODD 5200.1 and AR 380–5, or information protected or controlled under AR 20–1, or information controlled under DODD 5230.24 and DODD 5230.25.

**Scientific and technical material**

Material that has limited interest within a specialized field or to a specific audience because of its subject matter and/or the technical or scientific language in which the material is presented.

**Significant nuclear reactor incident**

An unexpected event resulting in any of the following:

- a.* Exceeding a safety limit as defined in the technical specifications.
- b.* Exposure of personnel to any radiation in excess of allowable limits set by AR 40–14.
- c.* Release of radioactive material in excess of 500 times the limit for materials listed in appendix B, table II, title 10, CFR Part 20, when averaged over a period of 24 hours.
- d.* A loss of 1 day or more of the operation of the facilities.
- e.* Damage to property in excess of \$10,000.
- f.* Unusual interest by the public or news media.

**Spokesperson**

Commander or someone designated by the commander to speak for him or her.

**Travel for public affairs purposes**

The transportation of individuals, groups, or materiel that is the result of a request or an invitation and is authorized by proper DOD authority to increase public understanding of Defense activities. The individuals or materiel may be military or civilian, Government or non-Government, United States or foreign, and the transportation cost may be reimbursable.

**Unofficial source**

A person who engages in discussions with news media representatives in an unofficial capacity and does not speak as an official spokesperson for Headquarters, Department of the Army, its components, or its subordinate units.

**Very important person**

An individual (civilian official, ranking member of a military service, foreign government head) whose position is of such importance that his or her travels are of special interest to the news media.

**Section III****Special Abbreviations and Terms**

There are no special terms.

**Unclassified**

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